

AGENDA
CITY COUNCIL MEETING
APRIL 9, 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) [03-1120]

Agenda Item/Open Microphone Speakers [03-1121]

VOTING AGENDA

1. Approval of Minutes of the February 26, 2003 and March 26, 2003 City Council Meetings [03-1122; **APPROVED FEBRUARY 26, 2003**]

CONSENT AGENDA [03-1123]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract for the design and construction administration for the cooling tower replacement at the Morton H. Meyerson Symphony Center located at 2301 Flora - Williams-Russell and Johnson, Inc. - \$70,826 - Financing: Capital Construction Funds [03-1124; **APPROVED**]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for replacement of the security camera and intercom at the Dallas Museum of Art parking garage located at 1717 North Harwood - Convergint Technologies, L.L.C., lowest responsible bidder of five - \$169,830 - Financing: Capital Construction Funds **[03-1125; APPROVED]**
4. Authorize a contract for expansion of the recreation center parking lot and construction of a playground at Jaycee/Zaragoza Park - Henneberger Construction, Inc., lowest responsible bidder of nine - \$152,671 - Financing: 2001-02 Community Development Grant Funds (\$124,291) and 2002-03 Urban Development Action Grant Funds (\$28,380) **[03-1126; APPROVED]**
5. Authorize a contract for construction of Phase II trail improvements at Hamilton Park - A S Construction, lowest responsible bidder of seven - \$83,050 - Financing: 2002-03 Community Development Grant Funds **[03-1127; APPROVED]**
6. Authorize a contract for fountain renovation at Ferris Plaza located at 400 South Houston - Sawyers Construction, Inc., lowest responsible bidder of five - \$285,932 - Financing: 1998 Bond Funds **[03-1128; APPROVED AS AN INDIVIDUAL ITEM]**
7. Authorize a contract for site improvements including landscaping, erosion control, installation of soccer lights and portable goals, upgrade for concrete ramp for Americans with Disabilities Act compliance, site furnishings, modification of the tennis court fence and installation of a security fence at Umphress Park - A S Construction, lowest responsible bidder of four - \$227,478 - Financing: 1998 Bond Funds **[03-1129; APPROVED]**
8. Authorize a contract for the construction of barrier free ramp improvements (list attached) - P & E Contractors, Inc., lowest responsible bidder of ten - \$220,990 - Financing: Capital Assessments Funds (\$210,440), Water Utilities Capital Construction Funds (\$10,550) **[03-1130; APPROVED]**
9. Authorize **(1)** a contract for the resurfacing of Jefferson Boulevard from S.E. 14th Street to the bridge over Mountain Creek with Austin Bridge & Road, LP, lowest responsible bidder of four in an amount not to exceed \$1,102,898, and **(2)** receipt and deposit of funds in an amount not to exceed \$403,600 from the City of Grand Prairie - Total not to exceed \$1,102,898 - Financing: NASD Redevelopment Funds (\$1,099,738), Water Utilities Capital Construction Funds (\$3,160) **[03-1131; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

10. Authorize an increase in the contract with Cajun Constructors, Inc. for work associated with the Southside Wastewater Treatment Plant chemical handling facility - \$177,500, from \$3,364,000 to \$3,541,500 - Financing: Water Utilities Bond Funds **[03-1132; APPROVED]**
11. Authorize Supplemental Agreement No. 2 to the professional services contract with HDR Engineering, Inc. for design of digesters and improvements at the Southside Wastewater Treatment Plant - \$285,048, from \$896,794 to \$1,181,842 - Financing: Water Utilities Capital Improvement Funds **[03-1133; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for additional process and hydraulic modeling for the Central Wastewater Treatment Plant mechanical improvements design - \$717,490, from \$2,150,000 to \$2,867,490 - Financing: Water Utilities Capital Improvement Funds **[03-1134; APPROVED]**

Construction Miscellaneous

13. Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Jim Miller Road from Loop 12 to Elam Road - City's share will not exceed \$1,525,900 and will be required in a future bond program - Financing: This action has no cost consideration to the City **[03-1135; APPROVED]**
14. Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with Dallas County for right-of-way acquisition and utility relocations on Hampton/Inwood Road from Canada Drive to Harry Hines Boulevard - \$88,500 - Financing: 1995 Bond Funds **[03-1136; APPROVED]**

LAND MISCELLANEOUS

15. An ordinance abandoning a portion of Northwest Highway service road to MarketPlace L H Partners, L.P. and Krestena, Inc., the abutting owners, containing approximately 23,010 square feet of land located near the intersection of Northwest Highway and Jupiter Road, and authorizing the quitclaim - Revenue: \$195,585 plus the \$20 ordinance publication fee **[03-1137; DEFERRED UNTIL 05/14/03]**
16. An ordinance abandoning a portion of a utility easement to 75 & Goldmark LLC, the abutting owner, containing approximately 10,999 square feet of land located near the intersection of Goldmark Drive and Midpark Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-1138; ORDINANCE 25217; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

17. Authorize **(1)** rescinding the thirty-six-month service contract for temporary industrial labor with The RidMok Group, previously authorized by Council Resolution No. 03-0773, on February 26, 2003, in the amount of \$3,859,929, and **(2)** a thirty-six-month service contract for temporary industrial labor with the lowest responsible bidders of thirteen - K.S.C. Services, Inc. (\$2,853,600) and Tolman Building Maintenance, Inc. (\$1,376,622) - Total not to exceed \$4,230,222 - Financing: Current Funds (\$3,770,682) and Water Utilities Current Funds (\$459,540) **[03-1139; APPROVED AS AN INDIVIDUAL ITEM]**
18. Authorize a thirty-six-month service contract for grounds maintenance at seven Dallas Police Department locations with the lowest responsible bidders of three (list attached) - Forest Hills Lawn Service and Premium Custom Cleaning and Services - Not to exceed \$173,005 - Financing: Current Funds **[03-1140; APPROVED]**
19. Authorize a professional services contract to provide review of Oncor/TXU Gas application for an increase in gas rates, with the most favorable of three proposers, Diversified Utility Consultants, Inc. - Not to exceed \$42,000 - Financing: Current Funds (to be fully reimbursed by Oncor/TXU Gas) **[03-1141; APPROVED AS AN INDIVIDUAL ITEM]**
20. Authorize the City of Dallas to participate in the U.S. Communities Government Purchasing Alliance Administrative Agreement for twenty-four months for the purchase of office supplies through Office Depot, Business Services Division - Not to exceed \$4,500,000 - Financing: Current Funds **[03-1142; APPROVED]**
21. Authorize the purchase of **(1)** three water bill payment machines (kiosks), associated software and licensing in the amount of \$250,000, and **(2)** a sixty-month service and maintenance agreement in the amount of \$150,000, from the most advantageous proposer of three - Clarusys, Inc. - Total not to exceed \$400,000 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[03-1143; DEFERRED UNTIL 05/14/03]**
22. Authorize a twelve-month service contract for security guard services with the lowest responsible bidder of ten - Stanley Smith Security dba Initial Security - Not to exceed \$1,571,982 - Financing: Water Utilities Current Funds **[03-1144; APPROVED]**
23. Authorize a twenty-four-month service contract for plumbing services with the lowest responsible bidder of three - Professional Preferred Maintenance - Not to exceed \$82,826 - Financing: Current Funds (\$75,065) and Water Utilities Current Funds (\$7,761) **[03-1145; APPROVED AS AN INDIVIDUAL ITEM]**
24. Authorize an eighteen-month price agreement for emergency medical examination gloves with the lowest responsible bidder of twelve - Lone Star Safety & Supply, Inc. - Not to exceed \$94,446 - Financing: Current Funds **[03-1146; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

25. Authorize a twenty-four-month price agreement for spray thermoplastics, glass traffic beads and concrete sealer with the lowest responsible bidders of seven - Susannah Dobbs Co., LC dba Dobco and Apollo Coating Technologies, Inc. - Not to exceed \$443,871 - Financing: Current Funds **[03-1147; APPROVED]**
26. Authorize a twenty-four-month software maintenance agreement contract for a facility management software system with Maximus, Inc. - \$41,600 - Financing: Current Funds **[03-1148; APPROVED]**
27. Authorize a thirty-six-month price agreement for pavement repairs in various location throughout the City of Dallas - Texas Standard Construction, Ltd., lowest responsible bidder of nine - \$9,997,500 - Financing: Water Utilities Current Funds **[03-1149; APPROVED AS AN INDIVIDUAL ITEM]**

MISCELLANEOUS

28. Authorize settlement of a claim filed by Juan Jose Reyes, Claim No. 20023433 - \$18,500 - Financing: Current Funds **[03-1150; APPROVED]**
29. Authorize the termination of the Declaration of Covenants, Conditions, and Restrictions on four tracts of land in City Blocks 8214 and A/8214 on the northwest corner of Preston Road and Keller Springs Road - Financing: No cost consideration to the City **[03-1151; APPROVED]**
30. Authorize **(1)** rescinding Resolution No. 02-3045 previously authorized on October 23, 2002 for a secured, no-interest forgivable loan agreement with Rebuilding Our Community, Inc. for the acquisition and renovation of property located at 3224 South Westmoreland Road in an amount not to exceed \$150,000; and, **(2)** a secured, no-interest forgivable loan agreement with Rebuilding Our Community, Inc. in the amount of \$150,000 for the acquisition and renovation of a facility located at 5811 South R. L. Thornton for the period May 1, 2003 through April 30, 2004 (Agencies that acquire and renovate properties with Community Development Grant Funds are required to provide a public service to eligible persons for a minimum of five years after acquisition and renovation) - Financing: No additional cost consideration to the City **[03-1152; DEFERRED UNTIL 05/14/03]**
31. Authorize a public hearing to be held on May 14, 2003 to receive citizens' comments to consider amending and reallocating funds for Dallas County's Housing Opportunities for Persons with AIDS contracts for FY 2000-01, FY 2001-02 and FY 2002-03 - Financing: No cost consideration to the City **[03-1153; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

32. Authorize **(1)** the acceptance of a \$252,000 ExxonMobil Foundation Grant to provide funding for employment, training and basic education services to Dallas youth; **(2)** the implementation of the summer youth program from May 15, 2003 to August 15, 2003 for low to moderate income youth ages 16 and above, and certain costs for the students training, supplies and materials, wages, and professional development totaling \$227,000; and **(3)** an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component for \$25,000 - Total not to exceed \$252,000 - Financing: 2003 ExxonMobil Foundation Grant Funds **[03-1154; APPROVED]**
33. Authorize the Dallas Public Library to reapply for membership in the Texas Library System - Financing: No cost consideration to the City **[03-1155; APPROVED]**
34. Authorize an extension of the Bond Paying Agent/Registrar contract with Wachovia Bank, National Association (formerly named First Union National Bank) for a two-year period from May 1, 2003 through April 30, 2005 - Total not to exceed \$75,000 - Financing: Current Funds **[03-1156; APPROVED]**
35. Authorize a public hearing to be held on May 14, 2003 to receive citizens' comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by Comcast of Dallas, Inc., dba AT&T Broadband - Financing: No cost consideration to the City **[03-1157; APPROVED AS AN INDIVIDUAL ITEM]**
36. Approval of the issuance of bonds in an amount not to exceed \$300,000,000 by the Tarrant County Health Facilities Development Corporation for the acquisition, construction, reconstruction, renovation, rehabilitation of land, buildings and equipment at Presbyterian Hospital of Dallas in Dallas, Texas - Financing: No cost consideration to the City **[03-1158; APPROVED]**
37. Approval of the issuance of bonds in an amount not to exceed \$21,000,000 by the Richmond Higher Education Finance Corporation for certain educational facilities at the Dallas Theological Seminary in Dallas, Texas - Financing: No cost consideration to the City **[03-1159; APPROVED]**
38. Authorize **(1)** the preparation of plans for the issuance of \$36,000,000 in Certificates of Obligation, Series 2003, and **(2)** the establishment of appropriations in an amount not to exceed \$36,134,950 in the Series 2003 Certificates of Obligation Fund - Financing: This action has no cost consideration to the City **[03-1160; APPROVED]**
39. Authorize application for a grant from the Getty Grant program for the Hall of State Building stone stair, plaza and light fixture conservation at Fair Park - Financing: No cost consideration to the City **[03-1161; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [03-1162]

40. An application for and an ordinance granting a D(A) Duplex District on property zoned an R-7.5(A) Single Family District on the south corner of the intersection of Live Oak Street and Bryan Parkway
Recommendation of Staff and CPC: Approval
Z012-232 (RB) [03-1163; **ORDINANCE 25218; CPC RECOMMENDATION FOLLOWED**]
41. An application for and an ordinance granting an amendment to Tract III for R-5 Single Family District and Duplex District uses within Planned Development District No. 67 for Single Family, Duplex and Neighborhood Service District uses to allow off-site parking on property located on the west side of Victoria Street, south of Thedford Street
Recommendation of Staff and CPC: Approval, subject to an approved site plan
Z012-294 (MF) [03-1164; **ORDINANCE 25219; CPC RECOMMENDATION FOLLOWED**]
42. An application for and an ordinance granting a Specific Use Permit for a Radio, television, or microwave tower on property zoned an MU-3 Mixed Use District on the southeast corner of the intersection of Greenville Avenue and Blackwell Street
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions
Z023-127 (RB) [03-1165; **ORDINANCE 25220; CPC RECOMMENDATION FOLLOWED**]
43. An application for a CS Commercial Service District on property zoned an MF-2(A) Multifamily District and an ordinance granting an NS(A) Neighborhood Service District on the south side of Illinois Avenue, between Fordham Road and Wilhurt Drive
Recommendation of Staff and CPC: Approval of an NS(A) Neighborhood Service District in lieu of the requested CS Commercial Service District
Z023-136 (RB) [03-1166; **POSTPONED UNTIL 05/14/03; HEARING OPEN**]
44. An application for and an ordinance granting a GR General Retail Subdistrict with retention of the D Liquor Control Overlay within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an O-2-D Office-Dry Subdistrict located on the west side of North Central Expressway, south of Fitzhugh Avenue
Recommendation of Staff and CPC: Approval with retention of the D Liquor Control Overlay
Z023-137 (RB) [03-1167; **ORDINANCE 25221; APPROVED AS AMENDED**]
45. An application for and an ordinance granting a Specific Use Permit for a Commercial amusement (inside) use limited to a Class A Dance hall on property zoned a CS Commercial Service District on the south side of Ft. Worth Avenue, west of Sylvan Avenue
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Z023-138 (RB) [03-1168; **ORDINANCE 25222; CPC RECOMMENDATION FOLLOWED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

46. An application for and an ordinance granting an amendment to the conditions and rescindment of a development plan for Planned Development District No. 540 for IR Industrial/Research District Uses and a Processing use by Specific Use Permit, and an application for and an ordinance granting renewal of and an amendment to the site plan and conditions for Specific Use Permit No. 1382 for a Processing use on property located east of South Central Expressway and south of River Oaks Road
Recommendation of Staff and CPC: Approval of an amendment to the conditions and rescindment of the development plan for Planned Development District No. 540, and approval of the renewal of and an amendment to the site plan and conditions for Specific Use Permit No. 1382 for a Processing facility for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Z023-142 (RB) [03-1169; ORDINANCES 25223 AND 25224; CPC RECOMMENDATION FOLLOWED]
47. An application for and an ordinance granting an NS(A)-D Neighborhood Service District with a Liquor Control Overlay on property zoned LO-1-D Limited Office District with a Liquor Control Overlay on the northwest corner of the intersection of Webb Chapel Road and Larga Drive
Recommendation of Staff and CPC: Approval with retention of the D Liquor Control Overlay
Z023-144 (MM) [03-1170; ORDINANCE 25225; CPC RECOMMENDATION FOLLOWED]
48. An application for and an ordinance granting a TH-2(A) Townhouse District on property zoned a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the southwest corner of the intersection of Sorcey Road and Clark Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z023-150 (WE) [03-1171; ORDINANCE 25226; CPC RECOMMENDATION FOLLOWED]
49. An application for and an ordinance granting a renewal of Specific Use Permit No. 1380 for a vehicle auction and storage use on property within Planned Development District No. 37 for Industrial uses on the southwest corner of the intersection of Sheila Lane and Lakefield Boulevard
Recommendation of Staff and CPC: Approval of the renewal of Specific Use Permit No. 1380 for a five year time period, subject to a site plan, landscape plan, and conditions
Z023-152 (WE) [03-1172; ORDINANCE 25227; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - CONSENT (Continued)

50. A City Plan Commission authorized hearing to determine the proper zoning on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with Specific Use Permit No. 1495 for an alcoholic beverage establishment use for a bar, lounge or tavern and a commercial amusement (inside) to be used as a Class C dance hall on the east corner of the intersection of Grand Avenue and Meadow Street and an ordinance granting an amendment to Specific Use Permit No. 1495
Recommendation of Staff: Approval of an amendment to Specific Use Permit No. 1495 to allow a class A dance hall and an amendment of the time period to begin with adoption of a new ordinance
Recommendation of CPC: Pending the March 27, 2003 meeting
Z023-171 (MF) [03-1173; ORDINANCE 25228; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

51. An application for a CH Cluster Housing District on property zoned an R-7.5(A) Single Family District, on Oren Lane, South of Jim Miller and West of Orbiter Park
Recommendation of Staff and CPC: Approval of an R-5(A) Single Family District in lieu of the requested CH Clustered Housing District
Z012-269 (RB) [03-1174; POSTPONED UNTIL 05/14/03; HEARING OPEN]
52. An application for and an ordinance granting a Planned Development District for a mixture of uses related to senior retirement housing on property zoned an R-7.5(A) Single Family District on Perryton Drive, west of Hampton Road, and south of Glenfield Avenue
Recommendation of Staff: Approval, subject to a development plan and conditions
Recommendation of CPC: Pending the March 27, 2003 meeting
Z023-143 (MM) [03-1175; DELETED ON THE ADDENDUM]

Note: Consideration of item #53 is contingent upon approval of item #52.

53. Authorize the City of Dallas Housing Finance Corporation to issue a \$12,900,000 tax-exempt Multifamily Mortgage Revenue Bond, Series 2003, for the benefit of Escondido Housing, L.P. a Texas Limited Partnership whose General Partner will be an entity owned by Brian Potashnik, for the land acquisition and new construction of the 280-unit Oaks III Apartments housing development for low and moderate income seniors, located adjacent to 2999 S. Hampton Road at Perryton and behind the Dallas Southwest Medical Center - Financing: No cost consideration to the City
[03-1176; APPROVED AS CORRECTED ON THE ADDENDUM]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

54. An application for a Planned Development District for a Private school, Open enrollment charter school, and NO(A) Neighborhood Office District Uses on property zoned an MF-2(A) Multifamily District, an NO(A) Neighborhood Office District, and a P(A) Parking District on property bounded by Live Oak Street, Grigsby Avenue, Bryan Street, and Annex Avenue
Recommendation of Staff: Approval, subject to a development plan and conditions
Recommendation of CPC: Pending the March 27, 2003 meeting
Z023-153 (RB) [03-1177; CPC RECOMMENDATION FOLLOWED]
55. An application for a Specific Use Permit for placement of fill material on property zoned an IM Industrial Manufacturing District in the northeast quadrant of Chalk Hill Road and IH 30
Recommendation of Staff: Approval for a period ending December 31, 2005, subject to a site plan and conditions
Recommendation of CPC: Pending the March 27, 2003 meeting
Z023-155 (RB) [03-1178; CPC RECOMMENDATION FOLLOWED]

BENEFIT ASSESSMENT HEARINGS

56. A benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater main improvements on Blue Ridge Boulevard from Los Angeles Boulevard to Rio Grande Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with SYB Construction Company, Inc., lowest responsible bidder of twelve - \$596,677 - Financing: 1998 Bond Funds (\$457,242), Water Utilities Capital Construction Funds (\$2,550), Water Utilities Bond Funds (\$136,885) [03-1179; ORDINANCE 25229; HEARING CLOSED]

MISCELLANEOUS HEARINGS

Note: Item Nos. 57 and 58
must be considered collectively.

City Center TIF District

57. * 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 increase the budget category of Acquisition and Restoration of Historic Sites by \$190,000 and decrease the category of streetscapes by \$190,000 for the Davis Building development, to include 1704 and 1802 Main Street (Mercantile and Securities Buildings) in the City Center TIF District Boundaries, modifications to the Plan and modifications to 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 [03-1180; HEARING CLOSED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

City Center TIF District (Continued)

Note: Item Nos. 57 and 58 must be considered collectively.

58. * An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing 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 increase the budget category of Acquisition and Restoration of Historic Sites by \$190,000 and decrease the category of streetscapes by \$190,000 for the Davis Building development, to include 1704 and 1802 Main Street (Mercantile and Securities Buildings) in the City Center TIF District Boundaries, modifications to the Plan and modifications to 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 [03-1180; **ORDINANCE 25230; APPROVED**]
59. A public hearing to receive citizens' comments on the renewal of the Dallas juvenile curfew ordinance and, at the close of the hearing, consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City [03-1181; **ORDINANCE 25231; HEARING CLOSED**]

ITEMS FOR INDIVIDUAL CONSIDERATION

60. 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) [03-1182; **APPOINTMENTS MADE TO BOARDS**]
61. Approval of the concurrent ordinance amending the cities of Dallas and Fort Worth's 1968 Regional Airport Concurrent Bond Ordinance, relating to bonds issued by the cities in connection with the Dallas/Fort Worth International Airport - Financing: No cost consideration to the City [03-1183; **ORDINANCE 25232; APPROVED**]
62. Approval of the Thirty-Eighth Supplemental Concurrent Bond Ordinance authorizing the issuance, sale and delivery of Dallas/Fort Worth International Airport Joint Revenue Auction Rate Bonds, Series 2003C, in a maximum aggregate principal amount of \$118,000,000, subject to certain parameters to pay a portion of the costs of the Airport relating to new security measures mandated by the federal government, to provide capitalized interest, to provide for funding the debt service reserve fund requirement and pay certain costs of issuance - Financing: No cost consideration to the City [03-1184; **ORDINANCE 25233; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

63. Approval of the Thirty-Seventh Supplemental Concurrent Bond Ordinance authorizing the issuance, sale and delivery of Dallas/Fort Worth International Airport Joint Revenue Improvement and Refunding Bonds in one or more series, in a maximum aggregate principal amount of \$1,600,000,000, subject to certain parameters to **(1)** provide the next financing tranche for the Capital Development Program (CDP), refund any outstanding bonds to the extent cost effective, refund outstanding Commercial Paper Notes, if any, provide funding for non-CDP capital projects, provide for funding the debt service reserve fund requirement and pay certain cost of issuance and **(2)** make certain amendments to the CDP - Financing: No cost consideration to the City **[03-1185; ORDINANCE 25234; APPROVED]**
64. Authorize the City of Dallas to participate with other area water purveyors to determine the feasibility of obtaining water from the Toledo Bend Reservoir - Not to exceed \$200,000 - Financing: Water Utilities Current Funds **[03-1186; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

65. Authorize the restructuring of the minimum annual guarantee in the advertising concession contract with JCDecaux Airport (formerly Sky Sites) at Dallas Love Field to allow a three-year increase in the term of the agreement and adjustments in the number of advertising locations - Revenue: \$2,375,000, from \$7,500,000 to \$9,875,000 **[03-1187; APPROVED AS CORRECTED ON THE ADDENDUM]**
66. Authorize economic development grant agreements with eight community-based nonprofit agencies to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: **(1)** The Family Place in an amount not to exceed \$34,500; **(2)** Head Start of Greater Dallas in an amount not to exceed \$25,000; **(3)** SouthFair Community Development Corporation in an amount not to exceed \$20,000; **(4)** Communities in Schools in an amount not to exceed \$30,000; **(5)** Stork's Nest in an amount not to exceed \$10,000; **(6)** Holmes Street Foundation in an amount not to exceed \$30,000; **(7)** Dallas Museum of Natural History in an amount not to exceed \$5,000; **(8)** St. Anthony Community Center in an amount not to exceed \$15,000 - Total not to exceed \$169,500 - Financing: South Dallas/Fair Park Trust Funds **[03-1188; DEFERRED UNTIL 05/28/03]**
67. 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 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 - Financing: No cost consideration to the City **[03-1189; DEFERRED INDEFINITELY]**

ADDENDUM

ADDITIONS:

Closed Session [03-1190; NO CLOSED SESSION]

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

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

CONSENT ADDENDUM

LAND ACQUISITION

1. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Trigger Gap, Inc., of approximately 40 acres of land located on the south side of Loop 12, east of the Trinity River, for environmental remediation and closure of the Deepwood and Loop 12 landfill sites - Not to exceed \$82,000 - Financing: Current Funds (to be reimbursed from proceeds of future tax exempt debt obligations) [03-1191; APPROVED]

LAND MISCELLANEOUS

2. An ordinance (1) repealing and consolidating Ordinance Nos. 22982, 23153 and 23760, and (2) granting a private license to Daryl Richardson Gourmet Catering, Inc. for the use of approximately 13,079 square feet of land to maintain the existing sidewalk, curbing, landscaping, garden wall, signs and construct, install and maintain additional landscaping, benches, banners, lighting and an aviary and aerial walkway in and over portions of Corbin, Hord, North Griffin and Laws Streets right-of-way - Revenue: \$10,360 annually plus the \$20 ordinance publication fee [03-1192; ORDINANCE 25235; APPROVED]
3. Authorize the conveyance of a wastewater easement containing approximately 1,011 square feet of land to the City of Farmers Branch for the extension of an existing sewer line located near the intersection of Valwood Parkway and Stemmons Freeway - Financing: No cost consideration to the City [03-1193; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS (Continued)

4. Authorize a sixty-month lease agreement with Jefferson Tower, L.P. for approximately 5,870 square feet of office space located in the Jefferson Tower Building, 351 W. Jefferson Boulevard, Suite 300, to be used as a Women, Infants and Children clinic for the period May 1, 2003 through April 30, 2008 - Not to exceed \$90,985 annually with a total not to exceed \$454,925 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations) **[03-1194; APPROVED]**
5. Authorize the discharge of the secured, no-interest, forgivable note with Phoenix Project, Inc. in the amount of \$50,000 and the release of lien on real property located at 201 South Tyler Street - Financing: No cost consideration to the City **[03-1195; APPROVED AS AN INDIVIDUAL ITEM]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

6. Authorize **(1)** rescinding the thirty-six-month price agreement with Clarksville Oil and Gas Co. for fuel previously awarded on December 11, 2002, pursuant to Resolution No. 02-3591 and **(2)** a thirty-six-month price agreement for fuel with the lowest responsible bidder of five - Truman Arnold Companies - Not to exceed \$12,428,013 - Financing: Current Funds **[03-1196; APPROVED AS AN INDIVIDUAL ITEM]**
7. Authorize **(1)** the purchase of a food protection and permitting system in the amount of \$145,500, and **(2)** a sixty-month service and maintenance agreement in the amount of \$85,020, from the most advantageous proposer of seven - Decade Software Solutions, LLC - Total not to exceed \$230,520 - Financing: Current Funds (\$85,020 is subject to annual appropriations) **[03-1197; APPROVED]**
8. Authorize **(1)** rescinding the thirty-six-month service contract previously awarded on February 26, 2003, by Resolution No. 03-0826, with Jackson's Lawn Service for grounds maintenance at various Park and Recreation and Library properties and **(2)** a thirty-six-month service contract for grounds maintenance at various Park and Recreation and Library properties with the lowest responsible bidder of ten - Professional Research & Referrals - Not to exceed \$1,648,769 - Financing: Current Funds **[03-1198; APPROVED AS AN INDIVIDUAL ITEM]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

9. Authorize the acceptance of a donation from the Vickery Meadow Management Corporation to fund a Community Prosecutor serving the Vickery Meadow Public Improvement District for the period of January 1, 2003 through December 31, 2003 - Not to exceed \$75,000 - Financing: Private Funds **[03-1199; APPROVED]**

10. Authorize **(1)** the third renewal option to the contract with the Southern Dallas Development Corporation to administer the Southern Dallas Economic Development Revolving Loan Program, Professional and Technical Assistance Program, and the Demonstration Loan Program for the purpose of providing loans, job opportunities, community and economic development, and revitalization within sixty-two Southern Dallas census tracts approved by the U.S. Department of Housing and Urban Development, and **(2)** any unexpended balances of program income from prior approved contracts be retained and rolled over into the third renewal of the contract for providing and servicing loans, technical services, program delivery and administration - Financing: No cost consideration to the City **[03-1200; APPROVED]**

11. Authorize **(1)** the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period of May 1, 2003 through April 30, 2004 and **(2)** execution of the grant agreement - Not to exceed \$431,880 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[03-1201; APPROVED]**

12. Authorize an amendment to the Public Works Public/Private development agreement previously authorized on June 28, 2000, by Resolution No. 00-2145 for The Villages of Runyon Springs, a residential development located between Lancaster and Houston School Roads near Simpson Stuart Road increasing the maximum City of Dallas participation - \$500,000, from \$1,000,000 to \$1,500,000 - Financing: Public/Private Partnership Funds **[03-1202; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

13. Authorize amendments to **(1)** Resolution No. 02-3086 previously authorized on October 23, 2002 and **(2)** the terms of the loan agreement with Parmer Villas Housing, L. P. to **(a)** allow the previously authorized reimbursement of up to \$1,100,000 for demolition, environmental remediation and related costs associated with a 408 unit apartment complex located at or near 4700 - 5000 Meadow Street and known as Meadow Grove Apartments or Emanuel Properties to be \$1,100,000 based upon a Schedule of Values in the demolition contract **(b)** provide for 288 replacement rental units, of which at least 230 must be affordable units, to be constructed in no more than two project phases, and **(c)** provide for the potential sale of the first phase to an ownership entity at closing of the tax credits therefor and a transfer of the second phase to an affiliate of Southwest Housing Development Company and Parmer Villas Housing L.P. with the same duties, obligations and liabilities - Financing: No cost consideration to the City **[03-1203; APPROVED]**
14. Authorize a public hearing to be held on May 14, 2003 to receive citizens' comments in preparation of the FY 2003-04 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[03-1204; APPROVED]**
15. Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a seat belt enforcement initiative, for the period May 1, 2003 through December 31, 2003, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$24,551, and **(3)** execution of the grant agreement - Total not to exceed \$111,551 - Financing: Current Funds (\$24,551) and Texas Department of Transportation Grant Funds (\$87,000) **[03-1205; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

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

16. Authorize an amendment to the provisions of the purchase and sale agreement for an historical facade easement on the Davis Building approved on April 28, 1999, pursuant to Resolution No. 99-1434, located in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) increasing the amount of purchase for the facade easement from \$1,100,000 to \$1,290,000 - Financing: No additional cost consideration to the City **[03-1206]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

17. Authorize payment of additional attorneys fees to Michael M. Daniel pursuant to Plaintiffs' Motion for Post-Judgment Attorney's Fees in the lawsuit styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H consolidated with Civil Action No. 3:98-CV-1763-H - Not to exceed \$115,000, from \$167,390 to \$282,390 - Financing: Current Funds **[03-1207; APPROVED]**
18. An ordinance amending Chapter 12A of the Dallas City Code to **(1)** provide for the State=s financial reporting forms to be used for filing financial disclosure reports required by the city, with a penalty not to exceed \$500 for violations; **(2)** clarify the confidentiality requirements of the ethics code complaint process; **(3)** require that all information provided to the Ethics Advisory Commission by a party to an ethics complaint be distributed to all parties to the complaint; and **(4)** provide requirements for giving notice of written decisions of the Ethics Advisory Commission - Financing: No cost consideration to the City (via Mayor Miller) **[03-1208; ORDINANCE 25236; APPROVED AS AMENDED]**
19. Authorize an agreement with the North Texas Tollway Authority for services from the Dallas Zoo concerning endangered species, Interior Least Tern, *Sterna Antillarum* for the George Bush Turnpike, Segment IV, Turnpike Project from May 1, 2003 to September 30, 2003, May 1, 2004 to September 30, 2004, May 1, 2005 to September 30, 2005 and May 1, 2006 to September 30, 2006 - Estimated Annual Revenue: \$10,000 **[03-1209; APPROVED]**
20. An ordinance amending Ordinance Nos. 25185 and 25186 ordering the May 3, 2003 general election and the May 3, 2003 special election for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding permanent public improvements, in order to change some election-day and early voting locations - Financing: No cost consideration to the City **[03-1210; ORDINANCE 25237; APPROVED]**

ADDENDUM

CORRECTIONS:

50. A City Plan Commission authorized hearing to determine the proper zoning on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with Specific Use Permit No. 1495 for an alcoholic beverage establishment use for a bar, lounge or tavern and a commercial amusement (inside) to be used as a Class C dance hall on the east corner of the intersection of Grand Avenue and Meadow Street and an ordinance granting an amendment to Specific Use Permit No. 1495
Recommendation of Staff: Approval of an amendment to Specific Use Permit No. 1495 to allow a class A dance hall and an amendment of the time period to begin with adoption of a new ordinance
Recommendation of CPC: ~~Pending the March 27, 2003 meeting~~ Approval
Z023-171 (MF) [03-1172]
51. An application for a CH Cluster Housing District on property zoned an R-7.5(A) Single Family District, on Oren Lane, South of Jim ~~Miller~~ Street and West of Orbiter Park
Recommendation of Staff and CPC: Approval of an R-5(A) Single Family District in lieu of the requested CH Clustered Housing District
Z012-269 (RB) [03-1173]
53. Authorize the City of Dallas Housing Finance Corporation to issue a \$12,900,000 tax-exempt Multifamily Mortgage Revenue Bond, Series 2003, for the benefit of Escondido Housing, L.P. a Texas Limited Partnership whose General Partner will be an entity owned by Brian Potashnik, for the land acquisition and new construction of the 280-unit Oaks III Apartments housing development for low and moderate income seniors, located adjacent to 2999 S. Hampton Road at Perryton and behind the Dallas Southwest Medical Center, subject to the approval of zoning no later than May 14, 2003 - Financing: No cost consideration to the City [03-1175]
54. An application for a Planned Development District for a Private school, Open enrollment charter school, and NO(A) Neighborhood Office District Uses on property zoned an MF-2(A) Multifamily District, an NO(A) Neighborhood Office District, and a P(A) Parking District on property bounded by Live Oak Street, Grigsby Avenue, Bryan Street, and Annex Avenue
Recommendation of Staff Approval, subject to a development plan and conditions
Recommendation of CPC: ~~Pending the March 27, 2003 meeting~~ Approval
Z023-153 (RB) [03-1176]

ADDENDUM

CORRECTIONS: (Continued)

55. An application for a Specific Use Permit for placement of fill material on property zoned an IM Industrial Manufacturing District in the northeast quadrant of Chalk Hill Road and IH 30
Recommendation of Staff: Approval for a period ending December 31, 2005, subject to a site plan and conditions
Recommendation of CPC: ~~Pending the March 27, 2003 meeting~~ Approval
Z023-155 (RB) [03-1177]
65. Authorize the restructuring of the minimum annual guarantee in the advertising concession contract with JCDecaux Airport (formerly Sky Sites) at Dallas Love Field to allow a ~~three-year increase in the term of the agreement~~ decrease in the minimum annual guarantee at the same five-year term and adjustments in the number of advertising locations - Revenue: ~~\$2,375,000, from \$7,500,000 to \$9,875,000~~ \$6,750,000 [03-1187]

DELETION:

52. An application for and an ordinance granting a Planned Development District for a mixture of uses related to senior retirement housing on property zoned an R-7.5(A) Single Family District on Perryton Drive, west of Hampton Road, and south of Glenfield Avenue
Recommendation of Staff: Approval, subject to a development plan and conditions
Recommendation of CPC: Pending the March 27, 2003 meeting
Z023-143 (MM) [03-1174]