

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

Invocation and Pledge of Allegiance (Council Chambers) [03-2800]

Agenda Item/Open Microphone Speakers) [03-2801]

VOTING AGENDA

1. Approval of Minutes of the October 8, 2003 City Council Meeting [03-2802;
APPROVED]

CONSENT AGENDA [03-2803]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Halff Associates, Incorporated for surveying services required for the acquisition of land for the Elm Fork Athletic Complex - \$49,500 - Financing: 1998 Bond Funds [03-2804; **APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for the renovation of Fire Station No. 4 located at 816 S. Akard - TDC Specialty Services Contraction, Inc., lowest responsible bidder of two - \$100,497 - Financing: Capital Construction Funds (\$64,900), TXU Reserve Funds (\$35,597) **[03-2805; APPROVED]**
4. Authorize a contract for the construction of a new courtyard including demolition, exterior sidewalks and site concrete, exterior masonry, structural steel, architectural metals, painting and shade structures at Bachman Therapeutic Center - A S Con, Inc., lowest responsible bidder of three - \$152,500 - Financing: 1998 Bond Funds **[03-2806; APPROVED]**
5. Authorize a contract for water and wastewater main replacements and relocation in Oak Lawn Avenue, Dallas North Tollway and Pacesetter Drive - Barson Utilities, Inc., lowest responsible bidder of seven - \$1,921,929 - Financing: Water Utilities Capital Improvement Funds (\$1,670,309) and 1995 Bond Funds (\$251,620) **[03-2807; APPROVED]**

Contract Amendments

6. Authorize **(1)** an increase in the contract with Harrison, Walker & Harper, LP for the installation of operable upper sash windows for the exterior restoration of the Hart Furniture Building, located at 1929-1933 Elm Street in an amount not to exceed \$60,655, from \$1,136,020 to \$1,196,675, **(2)** assignment of the increase to Elm Street Development, LLC for construction management, and **(3)** payment to Elm Street Development, LLC in an amount not to exceed \$60,655 for construction management - Total not to exceed \$60,655 - Financing: City Center TIF District Funds **[03-2808; APPROVED]**
7. Authorize a decrease in the contract with Jeske Construction Company for the construction of channel improvements on Hickory Creek from Denmark Street to Edd Road, for the addition of gabion structures and erosion control devices and deletion of concrete channel lining - (\$163,419), from \$951,447 to \$788,028 - Financing: 1985 Bond Funds **[03-2809; APPROVED]**
8. Authorize an increase in the contract with Dal-Ec, Inc. for work associated with the Southside Wastewater Treatment Plant pump station C modifications - \$23,850, from \$2,467,200 to \$2,491,050 - Financing: Water Utilities Bond Funds **[03-2810; APPROVED]**
9. Authorize an increase in the contract with Eagle Contracting, L.P., to purchase blower equipment for anaerobic digesters improvements at the Southside Wastewater Treatment Plant - \$4,788,290, from \$21,271,000 to \$26,059,290 - Financing: Water Utilities Capital Improvement Funds **[03-2811; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

10. Authorize an increase in the contract with Archer-Western Contractors, Ltd. for improvements to the sedimentation basins and electrical system at the Bachman Water Treatment Plant - \$517,751, from \$12,437,000 to \$12,954,751 - Financing: Water Utilities Capital Improvement Funds **[03-2812; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize Supplemental Agreement No. 2 to the professional services contract with Freese and Nichols, Inc. for the design of mechanical improvements at the Central Wastewater Treatment Plant - \$1,399,691, from \$2,867,490 to \$4,267,181 - Financing: Water Utilities Capital Improvement Funds **[03-2813; APPROVED]**

Construction Miscellaneous

12. An ordinance amending Chapter 43 of the Dallas City Code, Article VIII, ACertain Uses of Public Right-of-Way[©], to add provisions pertaining to surety bonds, street surface treatments, and construction materials testing - Financing: No cost consideration to the City **[03-2814; ORDINANCE 25409; APPROVED AS AMENDED]**
13. Authorize **(1)** street paving and water main improvements on Howell Street from Fairmount Street to Allen Street/McKinney 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 December 8, 2003, to receive citizens' comments - Financing: This action has no cost consideration to the City **[03-2815; APPROVED]**

LAND MISCELLANEOUS

14. Declare 3 vacant City-owned lots unwanted and unneeded and authorize their private sale through the Land Transfer Program, a program for the sale of tax-foreclosed, seized and surplus property to qualified entities for the development of low and moderate income affordable housing (list attached) - Revenue: \$3,327 **[03-2816; APPROVED]**
15. An ordinance abandoning a wastewater easement to Vista Del Cielo, Ltd., the abutting owner, containing approximately 12,284 square feet of land located near the intersection of Walton Walker Boulevard and Country Creek Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-2817; ORDINANCE 25410; APPROVED]**
16. An ordinance granting a revocable license to G-Dallas Operating Company, LLC for the use of approximately 1,127 square feet of land to construct, install and maintain a concrete exit platform and steps, a handicap ramp and landscaping on portions of Austin Street right-of-way located near its intersection with Belleview Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[03-2818; ORDINANCE 25411; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

17. An ordinance abandoning portions of 2 drainage easements to GalTex, LLC, the abutting owner, containing a total of approximately 4,082 square feet of land located near the intersection of Park Central Drive and Forest Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-2819; ORDINANCE 25412; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

18. Exercise the twelve-month renewal option for the service contract with SSP Consulting, L.C. under the same terms as previously awarded on October 11, 2000, by Resolution No. 00-3099 to provide Surety Support Program services for the period of November 1, 2003 through October 31, 2004 - Not to exceed \$298,650 - Financing: Water Utilities Capital Construction Funds (\$85,332), 1989 Bond Funds (\$213,318) **[03-2820; APPROVED AS AN INDIVIDUAL ITEM]**
19. Authorize a thirty-six-month service contract to provide armed and unarmed security guards with the best value bidder of sixteen - Whelan Security Company, Inc. - Not to exceed \$5,136,380 - Financing: Current Funds (\$2,722,275), Aviation Current Funds (\$1,540,920), Water Utilities Current Funds (\$873,185) **[03-2821; APPROVED]**
20. Authorize a sixty-month service contract for elevator and escalator maintenance and repair with the lowest responsible bidder of three - Larry Evans Elevator Service dba EMR, Inc. - Not to exceed \$1,497,528 - Financing: Convention and Event Services Current Funds **[03-2822; APPROVED]**
21. Authorize a thirty-six-month price agreement for emergency lights and parts with the lowest responsible bidders of six - G.T. Distributors, Inc., Midway Auto Supply, Inc., Earl Owen Company, Inc., and Dallas Public Safety Supply, Inc. - Not to exceed \$414,503 - Financing: Current Funds **[03-2823; APPROVED]**
22. Authorize a forty-eight-month price agreement for police duty gear with the lowest responsible bidders of five - GT Distributors, Inc. and Bailey's House of Guns, Inc. - Not to exceed \$405,154 - Financing: Current Funds **[03-2824; APPROVED]**

RATIFICATION OF EMERGENCY REPAIRS

23. Ratify emergency repairs of a pump at the Elm Fork Pump Station - CIE - \$46,479 - Financing: Water Utilities Capital Construction Funds **[03-2825; APPROVED]**

MISCELLANEOUS

24. Authorize a professional services contract with Jeanneret & Associates Inc. Management Consultants for expert services and related expenses necessary in the lawsuit styled Ken Clower, et al. v City of Dallas and Booth Research Group, Cause No. 02-02355-C and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$75,000 - Financing: Current Funds **[03-2826; APPROVED]**

CONSENT AGENDA (Continued)
MISCELLANEOUS (Continued)

25. Authorize settlement of a lawsuit, styled Earl Edwards v. City of Dallas, Cause No. cc-02-13934-c - \$6,871 - Financing: Current Funds **[03-2827; APPROVED]**
26. Authorize a loan agreement with Crayton's Restaurant located at 841 Exposition in the South Dallas/Fair Park Trust Fund service area to fund necessary start-up costs - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds **[03-2828; APPROVED]**
27. An ordinance authorizing a correction to Ordinance No. 25363 for R-7.5(A) Single Family District Uses on property bounded by Lemmon Avenue, Lovers Lane, Midway Road and Cresthaven Road to correct the property description Z023-193(NB) - Financing: No cost consideration to the City **[03-2829; ORDINANCE 25413; APPROVED]**
28. Authorize the acceptance of a supplemental agreement from the U.S. Department of Health and Human Services, Public Health Service in the amount of \$280,000, for sustainment of enhanced response capabilities in the Metropolitan Medical Response System for the period September 30, 2003 through September 29, 2004 - Financing: U.S. Department of Health and Human Services, Public Health Service Funds **[03-2830; APPROVED]**
29. Authorize the Dallas Housing Finance Corporation to make an exception to its Multifamily Program guidelines to allow for the financing of the new construction of multifamily units for working families of the Southern Terrace Apartments located at 4701 East Meadow Street and Hatcher Street, with a minimum of 264 units and a maximum of 280 units, in the face amount not to exceed \$15,000,000 in tax-exempt bonds and approximately \$1,600,000 in taxable bonds for the benefit of Parmer Villas Housing, Limited Partnership whose General Partner will be an entity initially owned by Brian Potashnik - Financing: No cost consideration to the City **[03-2831; APPROVED]**
30. Authorize **(1)** a public hearing to be held on November 12, 2003 to receive citizens' comments on the proposed private sale by quitclaim deed of 1 unimproved property located at 1324 Coleman acquired by the taxing authorities from the Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization and **(2)** at the close of the public hearing, consideration of approval of the sale of this property - Financing: No cost consideration to the City **[03-2832; APPROVED]**
31. Authorize **(1)** a modification to the Program Statement for the Basic Home Repair Program and **(2)** the Program Statement for a new Replacement Housing Program to serve lower-income owner-occupant households - Financing: No cost consideration to the City **[03-2833; APPROVED]**
32. Authorize amendment of loan documents and execution of First Amendment to the Loan Agreement with Parmer Villas Housing, L. P., regarding loan at 4700-5000 Meadow Street to provide at least 264 and no more than 280 replacement rental units, all of which must be affordable units for low and moderate income families - Financing: No cost consideration to the City **[03-2834; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

33. Authorize a twelve-month professional services contract with Uriah Elion, Jr. as Studio Manager of the South Dallas Cultural Center to coordinate all activities in the studio lab - Not to exceed \$34,000 - Financing: Current Funds **[03-2835; APPROVED AS CORRECTED ON THE ADDENDUM]**
34. Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Organization Program (list attached) - Not to exceed \$4,434,118 - Financing: Current Funds (\$4,343,368), Texas Commission on the Arts Grant Funds (\$55,750), Juanita Craft House Funds (\$25,000), Arts Endowment Funds (\$10,000) **[03-2836; APPROVED]**
35. Authorize an amendment to the 2003 City Calendar to cancel the Council-Staff Planning Session currently scheduled for November 14, and 15, 2003 - Financing: No cost consideration to the City **[03-2837; APPROVED AS AN INDIVIDUAL ITEM]**
36. Authorize **(1)** an amendment to the performance contract between the Texas Department of Agriculture and the City of Dallas for demolition and structural repairs of concrete columns and roof decks, replacement of affected electrical and plumbing, and clerestory windows for Pan American Complex Building at Fair Park, **(2)** execution of the grant agreement, and **(3)** a decrease in appropriations in the amount of (\$1,400,000), from \$2,474,600 to \$1,074,600 in the Fair Park Agrarian District Funds - \$1,074,600 - Financing: Fair Park Agrarian District Funds (Grantor, Texas Department of Agriculture Grant Funds) **[03-2838; APPROVED]**
37. Authorize **(1)** the application for and acceptance of the Project Safe Neighborhoods grant in the amount of \$156,000 through the United States Attorney's Office to establish a National Integrated Ballistics Information Network site for the period October 1, 2003 through April 30, 2006, and; **(2)** execution of the grant agreement - \$156,000 - Financing: U. S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Grant Funds **[03-2839; APPROVED]**
38. Authorize a Memorandum of Understanding between the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives and the City of Dallas to establish a partnership for a National Integrated Ballistics Information Network site for the installation, operation, training and administration of an integrated ballistics imaging system for the collection, analysis, and dissemination of forensic firearms data for the period October 1, 2003 through April 30, 2006 - Financing: No cost consideration to the City **[03-2840; APPROVED]**
39. Authorize application for and the acceptance of a grant from the North Central Texas Council of Governments for a Landfill Bioreactor Study at the McCommas Bluff Landfill - Not to exceed \$500,000 - Financing: North Central Texas Council of Governments Grant Funds **[03-2841; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

40. Authorize Supplemental Agreement No. 2 to the contract with the City of Grand Prairie for wholesale treated water to deliver treated water within the City of Dallas limits - October 1, 2003 through September 30, 2004 (\$0); October 1, 2004 through September 30, 2012 (\$49,971 per year) - Total Estimated Revenue: \$399,768
[03-2842; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [03-2843]

41. An application for and ordinances granting a Planned Development District for a private school and MU-3 Mixed Use District uses and the termination of Specific Use Permit No. 1471 on property zoned an MU-3 Mixed Use District on Merit Drive between Clodus Fields Drive and Churchill Way
Recommendation of Staff: Approval of a Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Recommendation of CPC: Pending October 16, 2003 CPC meeting
Z023-276 (WE) [03-2844; DELETED ON THE ADDENDUM]
42. An application for and an ordinance granting a Specific Use Permit for Mini-warehouse uses on property zoned an RR Regional Retail District on the east side of Walton Walker Boulevard, south of Exchange Service Drive
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, landscape plan and conditions
Z023-277 (WE) [03-2845; ORDINANCE 25414; APPROVED AS AMENDED]
43. An application for and an ordinance granting a Specific Use Permit for a Bank or savings and loan office with drive-in window service on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of McKinnon Street and Wichita 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
Z023-262 (RB) [03-2846; ORDINANCE 25415; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - CONSENT (Continued)

44. An application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-3 Mixed Use District on the east side of North Central Expressway, north of Forest Lane
Recommendation of Staff: Approval for a five-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a five-year period, with eligibility for automatic renewal for one additional five-year period, subject to a site plan and conditions
Z023-263 (RB) [03-2847; ORDINANCE 25416; CPC RECOMMENDATION FOLLOWED]
45. An application for a Planned Development District for RS MU-E Regional Service Mixed Use (Enhanced) Uses on property zoned an RS-MU Regional Service Mixed Use Subdistrict and an RS-MU(E) Regional Service Mixed Use (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on Third Avenue between R. L. Thornton Freeway and Ash Lane
Recommendation of Staff: Approval, subject to a revised development plan and conditions
Recommendation of CPC: Pending the October 16, 2003 City Plan Commission public hearing
Z023-264 (RB) [03-2848; CONTINUED UNTIL 11/12/03; HEARING OPEN]
46. 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 Edd Road, north of C. F. Hawn Freeway
Recommendation of Staff and CPC: Approval
Z023-249 (MM) [03-2849; ORDINANCE 25417; CPC RECOMMENDATION FOLLOWED]
47. An application for and an ordinance granting an R-5(A) Single Family District on property zoned a CS Commercial Service District, east of the intersection of Nandina Drive and Midway Plaza Boulevard
Recommendation of Staff and CPC: Approval
Z023-268 (MM) [03-2850; ORDINANCE 25418; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - CONSENT - DALLAS INDEPENDENT SCHOOL DISTRICT

48. An application for and an ordinance granting a Planned Development District for a public school and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District, bounded by Mason Dells Drive, Tunica Drive, St. Judes Drive and Midbury Drive
Recommendation of Staff: Approval of a Specific Use Permit for a Public school for a permanent time period, subject to a site plan and conditions, in lieu of the requested Planned Development District
Recommendation of CPC: Approval, subject to a development plan and conditions **Z023-257 (MJF) [03-2851; ORDINANCE 25419; CPC RECOMMENDATION FOLLOWED]**
49. An application for and an ordinance granting a Planned Development District for a public school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District, bounded by Tibbs Street, Stichter Street, Edgemere Street and Walnut Hill Lane
Recommendation of Staff: Approval of a Specific Use Permit for a Public school for a permanent time period, subject to a site plan and conditions, in lieu of the requested Planned Development District
Recommendation of CPC: Approval, subject to a development plan and conditions **Z023-255 (MJF) [03-2852; ORDINANCE 25420; CPC RECOMMENDATION FOLLOWED]**
50. An application for and an ordinance granting a Planned Development District for a Private recreation center, club, or area limited to an athletic facility and related structures and R-7.5(A) Single Family District Uses on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District on the west line of Polk Street, south of IH 20
Recommendation of Staff: Approval subject to a development plan, landscape plan and conditions
Recommendation of CPC: Approval
Z023-216 (RB) [03-2853; ORDINANCE 25421; APPROVED AS CORRECTED ON THE ADDENDUM]
51. An application for and an ordinance granting a Planned Development District for a public school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District in an area bounded by Kiest Boulevard, Polk Street, Hoke Smith Drive, and Navajo Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z023-280 (WE) [03-2854; ORDINANCE 25422; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

52. An application to amend Chapter 51A of the Dallas Development Code regarding Towers/Antennas for Cellular Communication to allow microwave dishes or similar devices on the pole portion of a monopole cellular tower and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA 023-016 (SR) [03-2855; APPLICATION APPROVED AS AMENDED; ORDINANCE TO COME BACK LATER]
53. Amendments to Chapter 51P of the Dallas Development Code codifying the Regulations of Planned Development District Nos. 18 through 39, 41 through 61, 63 through 105, 107, 176, 178, 209, 219, 269, 361, 376, 456, 462, 517, and 518 and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA 023-017 (SR) [03-2856; ORDINANCE 25423; CPC RECOMMENDATION FOLLOWED]

MISCELLANEOUS HEARINGS

54. A public hearing to receive citizens= comments on proposed changes to the FY 2001-02 Consolidated Plan Reprogramming Budget #2 for U.S. Department of Housing and Urban Development Grant Funds to **(1)** reprogram \$72,400 of HOME Grant Funds from Lot Acquisition Pilot Program mortgage assistance to Lot Acquisition Pilot Program land acquisition and **(2)** reprogram \$489,204 of Community Development Block Grant Funds from Lot Acquisition Pilot Program mortgage assistance to Neighborhood Investment Program public improvements - Financing: No cost consideration to the City **[03-2857; HEARING CLOSED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

55. 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) **[03-2858; APPOINTMENTS MADE TO BOARDS]**
56. Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office) **[03-2859; NO DART BOARD APPOINTMENTS]**
57. Authorize Supplemental Agreement No. 5 to the contract with the Dallas Convention and Visitors Bureau (DCVB) to defer the January 1, 2004 payment to January 1, 2007, to enable the DCVB to provide economic incentive to potential clients to facilitate future bookings - Financing: No cost consideration to the City **[03-2860; APPROVED]**
58. Authorize a resolution encouraging inclusion of transportation funding in the scope of the Texas Legislature's study of possible tax reform - Financing: No cost consideration to the City **[03-2861; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

59. Authorize a Memorandum of Understanding between the Dallas Independent School District Police Department and the Dallas Police Department to facilitate communication and coordination in the provision of service to the citizens of Dallas, Dallas County and/or the State of Texas for the period August 1, 2003 through July 31, 2004 - Financing: No cost consideration to the City **[03-2862; APPROVED]**
60. Authorize a 60-day extension of the moratorium established on February 26, 2003, and extended by 120 days on June 25, 2003, freezing the current number of taxicab firms, vehicles, and drivers permitted in the City of Dallas - Financing: No cost consideration to the City **[03-2863; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

61. An ordinance amending Chapter 9A of the Dallas City Code to provide additional grounds for denial of a billiard hall license and to clarify when a license may be re-issued after being revoked - Financing: No cost consideration to the City **[03-2864; ORDINANCE 25424; APPROVED]**
62. An ordinance abandoning air rights over a portion of Motor Street to Children's Medical Center of Dallas, the abutting owner, containing approximately 1,340 square feet of land located near its intersection with Medical Center Drive, and authorizing the quitclaim - Revenue: \$9,439 plus the \$20 ordinance publication fee **[03-2865; POSTPONED UNTIL 12/08/03]**
63. An ordinance granting renewal of a private license to F/P/D Fee Associates, L.P. for the use of approximately 1,277 square feet of land to maintain the existing pedestrian tunnel under Pacific Avenue right-of-way located near its intersection with St. Paul Avenue - Revenue: \$2,223 annually plus the \$20 ordinance publication fee **[03-2866; POSTPONED UNTIL 01/14/04]**
64. Authorize a Neighborhood Revitalization and Historic Preservation Program tax abatement for James Walker, owner of property located at 1924 Main Street (Estimated revenue foregone for a fifteen-year abatement is \$134,960) - Financing: No cost consideration to the City **[03-2867; POSTPONED UNTIL 01/28/04]**

ADDENDUM

ADDITIONS:

Closed Session **[03-2868; CLOSED SESSION HELD]**

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

- Ann Tenison Hereford Webb, et al. v. City of Dallas, et al.,
Cause No. 3:00-CV-2558-R
 - Clower, et al. v. City of Dallas, et al., Cause No. 2002-2355-C
- Personnel Matters (Sec. 551.074 T.O.M.A.)
- Performance Evaluation of City Manager Teodoro J. Benavides
 - Performance Evaluation of City Attorney Madeleine B. Johnson
 - Performance Evaluation of City Secretary Shirley Acy

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

1. Authorize **(1)** a professional services contract with Architexas, Inc. for planning and preliminary design services related to the development of a fire access corridor necessary and convenient to the redevelopment of 1600-1604, 1606, 1608-1610, 1612 and 1614 Elm Street, and 1613-1615 Main Street in an amount not to exceed \$63,000; and **(2)** the establishment of appropriations in the amount of \$63,000 in the City Center TIF District Fund - Total not to exceed \$63,000 - Financing: City Center TIF District Funds **[03-2869; APPROVED]**

Contract Amendments

2. Authorize **(1)** Supplemental Agreement No. 11 to the contract with Hunt Construction Group, Inc. to increase the Guaranteed Maximum Price in an amount not to exceed \$539,800, from \$50,546,567 to \$51,086,367, increasing the total contract from \$51,700,732 to \$52,240,532, **(2)** a contract for the construction of roadway and storm sewer repairs along the terminal with McMahan Contracting, LP, lowest responsible bidder of four, in an amount not to exceed \$539,800, and **(3)** assignment of the construction contract to Hunt Construction Group, Inc. for construction management - Total not to exceed \$539,800 - Financing: Aviation Capital Construction Funds **[03-2870; APPROVED AS AN INDIVIDUAL ITEM]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

3. Authorize Supplemental Agreement No. 7 to the contract with Austin Commercial, Inc. to receive payment from the project professional liability insurance policy to perform two additional construction activities for the Convention Center Expansion and Renovation 2002 project - Financing: No additional cost consideration to the City **[03-2871; APPROVED]**

LAND MISCELLANEOUS

Dallas Airmotive, Inc. Lease Amendments

4. * Authorize a first amendment to Lease No. 1 with Dallas Airmotive, Inc. to provide for two additional ten-year option periods, revise the rent and provide for a percentage rental for two office buildings at Dallas Love Field - Revenue: \$243,974 annually **[03-2872; APPROVED AS AN INDIVIDUAL ITEM]**
5. * Authorize a second amendment to Lease No. 2 with Dallas Airmotive, Inc. to provide for two additional ten-year option periods and begin collecting rent on Hangar A, Hangar A office space, and the associated ground at the prevailing rental rates for similar premises at Dallas Love Field - Revenue: \$87,898 annually **[03-2873; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize an eighty-four-month lease agreement with LBJ Commerce Center, Inc. for approximately 11,942 square feet of office space located in the Lincoln Commerce Centre Building at 8001 LBJ Freeway, Suite 200, to be used as a Public Health and Women, Infants and Children clinics for the period November 1, 2003 through October 31, 2010 (\$179,130 annually) (two months free rent) - Total not to exceed \$1,224,056 - Financing: Texas Department of Health Grant Funds (\$612,028) (subject to annual appropriations) Current Funds (\$612,028) (subject to annual appropriations) **[03-2874; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

7. Authorize a forty-eight-month price agreement for police uniforms, accessories and alterations with the lowest responsible bidders of two - C & G Police Supply dba C & G Wholesale and Flight Suits - Not to exceed \$3,241,634 - Financing: Current Funds **[03-2875; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

8. Authorize Supplemental Agreement No. 7 to the professional services contract with the law firm of Strasburger & Price, L.L.P., for additional legal services necessary in the lawsuit styled City of Dallas v. Transcontinental Realty Investors, Inc., et al, Cause No. cc-99-03125-e, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000, from \$850,000 to \$950,000 - Financing: Funds provided by Hillwood Development Corporation and Center Operating Company, L.P. **[03-2876; APPROVED AS AN INDIVIDUAL ITEM]**
9. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Stutzman, Bromberg, Esserman & Plifka, P.C., for additional legal services necessary in the lawsuit styled Ann Tenison Hereford Webb, et al., v. The City of Dallas, Texas, et al., Civil Action No. 3:00-CV-2558-R, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$100,000, from \$200,000 to \$300,000 - Financing: Current Funds **[03-2877; APPROVED AS AN INDIVIDUAL ITEM]**
10. A resolution extending the moratorium on the acceptance of applications for and issuance of permits to authorize the attachment or painting of a "wallscape sign" as defined in Section 51A-7.1306 of the Dallas City Code, as amended, if any portion of the sign would be located within 660 feet of the nearest edge of the right-of-way of a federal interstate or primary system highway - Financing: No cost consideration to the City **[03-2878; APPROVED]**
11. An ordinance amending Chapter 39A of the Dallas City Code to revise the moving expense schedule used for the relocation of displaced individuals and families - Financing: No cost consideration to the City **[03-2879; ORDINANCE 25425; APPROVED]**
12. Authorize Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for the audit of the City of Dallas' financial operations and grant activities for the fiscal year ending September 30, 2003, to perform an audit of financial operations of the Cityplace Tax Increment Financing district for fiscal years ended September 30, 2000, 2001, and 2002, in connection with the proposed issuance of additional bonds for the Cityplace TIF District - Not to exceed \$42,500, from \$423,000 to \$465,500 - Financing: Cityplace TIF District Funds **[03-2880; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

13. Authorize a contract with Dallas Area Rapid Transit to purchase A-Passes for City employees, at no cost to employees, in support of the City's current clean air initiative - Not to exceed \$199,762 - Financing: Current Funds **[03-2881; APPROVED]**
14. Authorize the first one-year renewal option to the contract with United Behavioral Health for an Employee Assistance Program to provide referral services for City employees and their families from January 1, 2004 through December 31, 2004 - Not to exceed \$150,000 - Financing: Employee Benefits Current Funds (subject to appropriations) **[03-2882; APPROVED AS AN INDIVIDUAL ITEM]**

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

City Center TIF District

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

15. * A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, City Center TIF District, in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to decrease the City Center TIF District Plan budget from \$108,900,943 to \$96,400,943 and release \$12,500,000 of City Center TIF District funds to the participating taxing jurisdictions, modifications to the Plan and modifications of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City **[03-2883; HEARING CLOSED]**

ADDENDUM

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

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

City Center TIF District (Continued)

16. * An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, City Center TIF District, in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to decrease the City Center TIF District Plan budget from \$108,900,943 to \$96,400,943 and release \$12,500,000 of City Center TIF District funds to the participating taxing jurisdictions, modifications to the Plan and modifications of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - \$12,500,000 - Financing: City Center TIF District Funds (\$10,000,000 to be transferred to the Public/Private Partnership Fund and \$2,500,000 disbursed to Dallas County) **[03-2883; ORDINANCE 25426; APPROVED]**
17. * Authorize the establishment of the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to be administered by the City of Dallas - Economic Development Division to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City **[03-2884; APPROVED]**
18. * Authorize an Interlocal Agreement with Dallas County for the acceptance of \$2,500,000 from Dallas County and setting the terms related to the City of Dallas' administration of Dallas County funds to be used to make a loan needed to facilitate public, short-term parking in a new parking garage to be located at 1407 Main Street in the City of Dallas Main Street District Initiative Loan and Grant Program area - Financing: No cost consideration to the City **[03-2885; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

City Center TIF District (Continued)

19. * Authorize **(1)** a loan agreement with Downtown Renaissance, LP, in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code, in an amount not to exceed 75% of the total cost of the Davis Lot Garage (Project) (including land acquisition) in accordance with the approved budget for the Project; or \$10,000,000, whichever is less; and **(2)** disbursement of the loan and establishment of a loan receivable in an amount not to exceed \$10,000,000 in the Public/Private Partnership Fund - Total not to exceed \$10,000,000 - Financing: Public/Private Partnership Funds **[03-2886; APPROVED]**
20. * Authorize a professional services contract with Stutzman, Bromberg, Esserman & Plifka for legal work relating to the preparation and negotiation of a construction loan in an amount equal to up to 75 percent of the total cost for a mixed-use development project located at 1407 Main Street (Davis Lot), preparation and negotiation of deed restrictions, review of, and suggested revision to, a management contract with the operator of the public portion of the parking garage and the parking garage ground lease (or easement) for the underground portion of the parking garage, and miscellaneous services related to 1407 Main Street (Davis Lot) in the Reinvestment Zone Number Five City Center TIF District - Not to exceed \$45,000 - Financing: City Center TIF District Funds **[03-2887; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

21. Authorize an amendment to Resolution No. 01-3361, previously approved on November 14, 2001, to extend the deadline for which projects must be brought before the City Council from November 14, 2003 to November 14, 2005 on real property located in City of Dallas Enterprise Zone One within Pinnacle Park - Financing: No cost consideration to the City **[03-2888; APPROVED]**
22. Authorize proposed Procedural Order No. 03-2-1-JR related to the posting of bail bonds by attorneys and the manner of taking a forfeiture of such bonds in the City of Dallas Municipal Court - Financing: No cost consideration to the City **[03-2889; DEFERRED UNTIL 11/12/03]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

23. A resolution requesting the United States Congress to designate March 31 as a national holiday in honor of Cesar E. Chavez (Mayor Miller, Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill and Councilmembers Chaney, Griffith, Blaydes, Rasansky, Oakley, Finkelman, Lill, Salazar, Garcia, Thornton-Reese, Fantroy, and Greyson) **[03-2890; APPROVED]**
24. Authorize **(1)** adoption of the preliminary FY 2003-04 Consolidated Plan Reprogramming Budget #2 in the amount of \$1,056,926 and **(2)** a public hearing to be held on November 12, 2003 to receive citizens= comments on the proposed use of funds - Financing: No cost consideration to the City **[03-2891; APPROVED]**
25. A resolution substituting Fitzhugh Avenue (north & south) from Santa Fe Avenue to Ross Avenue; Fitzhugh Avenue (north) from Deere Street to Capitol Avenue; Fitzhugh Avenue from Ross Avenue to Deere Street; and \$419,363 of infrastructure improvements related to Public/Private Partnership in Council District 7 to be used for the proposed Ferguson Initiatives for the Industrial Boulevard (north) from Commerce Street to Irving Boulevard project in the first year of the implementation of the 2003 Bond Program - Financing: No cost consideration to the City **[03-2892; APPROVED]**

CORRECTIONS:

33. Authorize a twelve-month ~~professional~~ personal services contract with Uriah Elion, Jr. as Studio Manager of the South Dallas Cultural Center to coordinate all activities in the studio lab - Not to exceed \$34,000 - Financing: Current Funds **[03-2835]**
45. An application for a Planned Development District for RS MU-E Regional Service Mixed Use (Enhanced) Uses on property zoned an RS-MU Regional Service Mixed Use Subdistrict and an RS-MU(E) Regional Service Mixed Use (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on Third Avenue between R. L. Thornton Freeway and Ash Lane
Recommendation of Staff: Approval subject to a revised development plan and conditions
Recommendation of CPC: ~~Pending the October 16, 2003 City Plan Commission public hearing~~ Approval, subject to a development/landscape plan and conditions Z023-264 (RB) **[03-2848]**

ADDENDUM

CORRECTIONS: (Continued)

50. An application for and an ordinance granting a Planned Development District for a Private recreation center, club, or area limited to an athletic facility and related structures and R-7.5(A) Single Family District Uses on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District on the west line of Polk Street, south of IH 20
Recommendation of Staff: Approval subject to a development plan, landscape plan and conditions
Recommendation of CPC: Approval subject to development plan, landscape plan, free site mitigation exhibit and conditions
Z023-216 (RB) [03-2853]

DELETION:

41. An application for and ordinances granting a Planned Development District for a private school and MU-3 Mixed Use District uses and the termination of Specific Use Permit No. 1471 on property zoned an MU-3 Mixed Use District on Merit Drive between Clodus Fields Drive and Churchill Way
Recommendation of Staff : Approval of a Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Recommendation of CPC: Pending, October 16, 2003 CPC meeting
Z023-276 (WE) [03-2844]