

AGENDA
CITY COUNCIL MEETING
DECEMBER 8, 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) [03-3290]

Agenda Item/Open Microphone Speakers [03-3291]

VOTING AGENDA

1. Approval of Minutes of the November 12, 2003 City Council Meeting [03-3292;
APPROVED AS CORRECTED]

CONSENT AGENDA [03-3293]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Carter & Burgess, Inc. for Leadership in Environmental and Energy Design (LEED) consulting and commissioning services at the Hensley Field Operations Center, Building No. 25, located at 8200 West Jefferson Boulevard - \$80,000 - Financing: Hensley Field Funds [03-3294;
APPROVED AS AN INDIVIDUAL ITEM]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Harrison, Walker and Harper, LP for design/build services at the Hensley Field Operations Center, Building No. 25 and Building No. 27, located at 8200 West Jefferson Boulevard - \$650,000 - Financing: Hensley Field Funds **[03-3295; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize **(1)** a professional services contract with Santiago Calatrava SA to provide engineering and design services to produce bridge layout and schematic design of the IH-30 signature bridge across the Trinity River in an amount not to exceed \$3,000,000, **(2)** the receipt and deposit of privately donated funds in an amount not to exceed \$3,000,000, and **(3)** the establishment of appropriations in the amount of \$3,000,000 in the IH-30 Bridge Donation Fund - \$3,000,000 - Financing: Private Funds **[03-3296; APPROVED]**

Authorization of Contracts

5. Authorize a contract for roof replacement and asbestos abatement at Anita Martinez Recreation Center located at 3212 North Winnetka - Rutherford Contractors, Inc., lowest responsible bidder of four - \$69,900 - Financing: General Capital Reserve Funds **[03-3297; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a contract for the restoration of the east and west memorial gates including new electrical and lighting fixture assemblies at Tenison Memorial Park Golf Course and Samuell-Grand Park - Phoenix I Restoration and Construction, Ltd., lowest responsible bidder of three - \$137,400 - Financing: 1998 Bond Funds (\$108,023) and W. W. Samuell Trust Funds (\$29,377) **[03-3298; APPROVED]**
7. Authorize a contract for the expansion and renovation of the Janie C. Turner Recreation Center at Pemberton Hill Park - Harrison Quality Construction, Inc., lowest responsible bidder of eleven - \$828,880 - Financing: 1999-00 Community Development Grant Reprogramming Funds (\$402,229) and 1998 Bond Funds (\$426,652) **[03-3299; APPROVED]**
8. Authorize **(1)** a contract for the demolition and public use improvements related to the redevelopment of 1717 Main Street (Bank One Center) with J. N. Kent Construction Co., Inc., only bidder, in an amount not to exceed \$352,108, **(2)** assignment of the construction contract to Main Street Partners Funding, L.P. for construction management, **(3)** payment to Main Street Partners Funding, L.P. in an amount not to exceed \$352,108 for design, construction management and construction, **(4)** receipt and deposit of funds in an amount not to exceed \$102,108 in the City Center TIF District Fund, and **(5)** an increase in appropriations in the amount of \$102,108 in the City Center TIF District Fund - Total not to exceed \$352,108 - Financing: City Center TIF District Funds (\$250,000), Private Funds (\$102,108 received from Main Street Partners Funding, L.P.) **[03-3300; POSTPONED UNTIL 01/14/04]**

CONSENT AGENDA (Continued)

AUTHORIZATION RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

9. Authorize a contract for the construction of a new 48-inch water transmission main to the southern portions of Dallas and replacement of existing wastewater mains - John Burns Construction Co. of Texas, Inc., lowest responsible bidder of six - \$1,976,606 - Financing: Water Utilities Capital Improvement Funds [03-3301; **APPROVED**]
10. Authorize a contract for the construction of water and wastewater main replacements at various locations within the Lower Five Mile Creek drainage area, Phase 3 (list attached) - Barson Utilities, Inc., lowest responsible bidder of four - \$3,530,795 - Financing: Water Utilities Capital Improvement Funds [03-3302; **APPROVED**]
11. Authorize a contract for the rehabilitation of existing wastewater mains and construction of water and wastewater main replacements at Airline Drive and various locations (list attached) - Atkins Bros. Equipment Co. Inc., lowest responsible bidder of six - \$3,831,289 - Financing: Water Utilities Capital Improvement Funds [03-3303; **APPROVED AS AN INDIVIDUAL ITEM**]
12. Authorize a contract for the rehabilitation of existing wastewater mains and construction of water and wastewater main replacements at Van Buren Avenue and various locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of six - \$5,209,109 - Financing: Water Utilities Capital Improvement Funds [03-3304; **APPROVED**]

Contract Amendments

13. Authorize (1) the acceptance of two loans from the State of Texas Energy Conservation Office in the amounts of \$5,000,000 and \$4,468,570 to be repaid in ten annual payments of \$1,134,968, beginning in FY 2004-05, from electric and natural gas energy savings, (2) Supplemental Agreement No. 1 for Phase 2 of the energy services contract with TAC Americas, Inc. to perform design and construction of energy conservation related projects at the following six facilities: City Hall at 1500 Marilla, Central Library at 1515 Young Street, Martin Luther King, Jr. Center at 2922 MLK Boulevard, Arts District Parking Garage at 2301 Ross Avenue, and Mountain Creek Branch Library at 6102 Mountain Creek Parkway, in an amount not to exceed \$9,468,570; and for performance assurance support services in the amount of \$147,866 annually, for ten years, for a total not to exceed \$1,478,660, to be paid from electric and natural gas savings; and (3) the establishment of appropriations in an amount not to exceed \$9,468,570 in the General Capital Reserve Fund - Financing: Loans from Texas State LoanStar Program (\$9,468,570); Current Funds (\$12,828,340) [03-3305; **APPROVED AS CORRECTED ON THE ADDENDUM; APPROVED**]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

14. Authorize an increase in the contract with MetalMan, Inc. for the completion of the Dallas Zoo Restaurant and Main Entry Bridge construction - \$110,333, from \$448,691 to \$559,024 - Financing: 1998 Bond Funds **[03-3306; APPROVED]**
15. Authorize Supplemental Agreement No. 2 to the contract with Johnson/McKibben Architects, Inc. to provide design services for the Gorilla Holding Building expansion and renovation at the Dallas Zoo - \$112,000, from \$28,200 to \$140,200 - Financing: 2003 Bond Funds **[03-3307; APPROVED]**
16. Authorize (1) Supplemental Agreement No. 1 to the contract with Hargreaves Associates for the Fair Park Comprehensive Plan to provide conceptual and schematic design services for the Phase I implementation plan for the lagoon, pedestrian vehicular way-finding system and the Esplanade of State at Fair Park in the amount of \$227,326, and (2) a decrease in the contract in the amount of (\$4,611), from \$1,542,000 to \$1,764,716 - Total not to exceed \$222,716, from \$1,542,000 to \$1,764,716 - Financing: 1998 Bond Funds **[03-3308; APPROVED]**
17. Authorize Supplemental Agreement No. 2 to the contract with Brown, Reynolds and Watford Architects, Inc. to provide additional services for the feasibility study and master plan for the Trinity Interpretive Center, Trinity Equestrian Center and Park Maintenance Facility - \$148,250, from \$515,000 to \$663,250 - Financing: 1998 Bond Funds **[03-3309; APPROVED]**
18. Authorize (1) Supplemental Agreement No. 12 to the contract with Hunt Construction Group, Inc. to increase the Guaranteed Maximum Price for the Love Field Parking Garage project in an amount not to exceed \$3,298,232, from \$51,086,367 to \$54,384,599, increasing the total contract from \$52,240,532 to \$55,538,764, (2) a contract for the construction of Garage A structural repairs with North Texas Bomanite, Inc., lowest responsible bidder of eight in an amount not to exceed \$2,291,563, and (3) assignment of the construction contract to Hunt Construction Group, Inc. for construction management - Total not to exceed \$3,298,232 - Financing: Aviation Capital Construction Funds **[03-3310; APPROVED]**
19. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for hydraulic improvements at the Bachman Water Treatment Plant, Phase 2 - \$708,503, from \$6,175,777 to \$6,884,280 - Financing: Water Utilities Capital Improvement Funds (\$571,591) and Water Utilities Capital Construction Funds (\$136,912 to be fully reimbursed from Park Cities Municipal Utility District) **[03-3311; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous

20. Authorize a contract for design/build with AUI Contractors, L.P. for the design and construction of the Family Aquatics Center at Thurgood Marshall Park - \$342,500 - Financing: 2003 Bond Funds **[03-3312; APPROVED]**
21. Authorize the City Manager to initiate a Request for Competitive Sealed Proposals project delivery method for the Esplanade fountain pylon restoration at Fair Park - Financing: No cost consideration to the City **[03-3313; APPROVED]**
22. Authorize the City Manager to initiate a Request for Competitive Sealed Proposals project delivery method for the Vietnam Veterans Memorial restoration at Fair Park - Financing: No cost consideration to the City **[03-3314; APPROVED]**
23. Authorize an Interlocal Agreement with the Texas Department of Transportation for right-of-way acquisition and utility relocation on the Woodall Rodgers Extension (Spur 366) from IH 35E across the Trinity River to the intersection of Beckley Avenue and Singleton Boulevard - \$2,950,000 - Financing: 1998 Bond Funds **[03-3315; DELETED ON THE ADDENDUM]**
24. Authorize (1) an Interlocal Agreement with the Town of Highland Park for replacement of water and wastewater mains; and, (2) a joint contract with the Town of Highland Park for design of existing water and wastewater mains in Mockingbird Lane from Airline Drive to West Greenway Boulevard - \$386,682 - Financing: Water Utilities Capital Improvement Funds **[03-3316; APPROVED]**

LAND ACQUISITION

25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Larry Koehler of approximately 35 acres of vacant land located near the intersection of Pemberton Hill and Lake June Roads, for the Trinity River Corridor project - \$85,000 - Financing: 1998 Bond Funds **[03-3317; APPROVED]**
26. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Leon Skly of approximately 50 acres of vacant land located near the intersection of Second Avenue and Bruton Road, for the Trinity River Corridor project - \$87,500 - Financing: 1998 Bond Funds **[03-3318; APPROVED]**
27. Authorize settlement in lieu of proceeding further with condemnation of Two C, Three C, Inc. of a tract of land containing approximately 54 acres for the Trinity River Corridor project located near the intersection of Interstate Highway 20 and Dowdy Ferry Road - \$99,000 - Financing: 1998 Bond Funds **[03-3319; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION (Continued)

28. Authorize a settlement, in lieu of proceeding to a jury trial in an eminent domain case, for the acquisition from Shiu Fong Yeung and Edwina Tan Yeung of approximately 21,630 square feet of land improved with a one-story building located at the intersection of Ross and Leonard Streets needed for the Performing Arts Center project - \$1,499,950 (\$1,401,790 previously deposited with the County Clerk of Dallas County) - \$98,160 - Financing: 1998 Bond Funds (\$37,939), Performing Arts Complex Funds (\$12,647), and Interest Earnings from previous deposit (\$47,574) **[03-3320; APPROVED]**
29. Authorize acquisition of 26 properties improved with single family homes in the Cadillac Heights neighborhood near the intersection of Cedar Crest Boulevard and Morrell Street for the proposed Dallas Police Academy (list attached) - \$1,340,500 - Financing: 2003 Bond Funds **[03-3321; APPROVED AS AN INDIVIDUAL ITEM]**
30. Authorize deposit of a Special Commissioners' Award for the acquisition from Vincent W. Ortez of approximately 6,625 square feet of land improved with a single family dwelling located at the intersection of Baylor and Dawson Streets for the Central Service Center Expansion Project - \$55,000 - Financing: Capital Construction Funds **[03-3322; APPROVED]**

LAND MISCELLANEOUS

31. A resolution authorizing the City of Dallas to execute and file deed restrictions on behalf of Dallas/Fort Worth International Airport as part of the Response Action Plan required by State Environmental Regulatory Agencies - Financing: No cost consideration to the City **[03-3323; APPROVED]**
32. Authorize a twelve-month lease agreement with HQ Global Workplaces, Inc. for approximately 142 feet of office space, located at 8616 Congress Avenue, Suite 1164, Austin, Texas, to be used by the Assistant City Attorney for State Legislative activities from January 1, 2004 through December 31, 2004 - \$1,476 per month for a total of \$17,712 - Financing: Current Funds **[03-3324; APPROVED AS AN INDIVIDUAL ITEM]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

33. Authorize the purchase of five fire pumpers, four battalion chief vehicles and two aerial ladder trucks, through the Interlocal Agreement with the Houston-Galveston Area Council of Governments - Not to exceed \$2,890,423 - Financing: 2003 Equipment Acquisition Contractual Obligation Notes **[03-3325; APPROVED]**
34. Authorize the purchase of sixteen rescue units through the Texas Local Government Purchasing Cooperative for the Dallas Fire Department from Wheeled Coach - Not to exceed \$1,569,055 - Financing: Current Funds **[03-3326; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

35. Authorize a service contract for fuel conversion of approximately 175 Ford Crown Victoria police interceptors from unleaded fuel to compressed natural gas with the lowest responsible bidder of three - Bachman AFV - Not to exceed \$1,890,000 - Financing: Texas Department of Transportation Clean Vehicle Program Grant Funds (\$1,512,000), Current Funds (\$378,000) **[03-3327; APPROVED AS AN INDIVIDUAL ITEM]**
36. Authorize a forty-eight-month service contract for centrifugal chiller maintenance at the Dallas Convention Center and Reunion Arena with the lowest responsible bidder of seven - McQuay International - Not to exceed \$792,228 - Financing: Convention and Event Services Current Funds **[03-3328; APPROVED AS AN INDIVIDUAL ITEM]**
37. Authorize the purchase of a land management software system, professional services, hardware, and warranty from the most advantageous proposal of six - Computronix (Canada), Ltd. - Not to exceed \$4,826,597 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes (\$2,472,904); 2003 Equipment Acquisition Contractual Obligation Notes (\$2,000,000); 2003-04 HOME Funds (\$118,500); 2003-04 Community Development Grant Funds (\$108,500); Current Funds (\$23,000); Building Inspection Current Funds (\$103,693) **[03-3329; APPROVED]**
38. Authorize a twelve-month price agreement for automobiles, light trucks, vans and utility trucks with the lowest responsible bidders of nineteen - Red McCombs Dodge, Texan Waste Equipment dba Heil of Texas, Rush Truck Centers of Texas, L.P., Equipment Southwest, Inc., Friendly Chevrolet LTD, Sam Pack's Five Star Ford of Carrollton, Metro Ford Sales, Inc., Metro Autocar, Inc., MHC Kenworth - Dallas dba Texas Kenworth Co., Village Auto Group, Sonic-Lute Riley, L.P. dba Lute Riley Honda, IDS - Industrial Disposal Supply Company, B & C Body Co. Div. of East Texas Mack Sales L.P., Fontaine Truck Equipment Company, S.D.W. Ent. Inc. dba Kawasaki City - Not to exceed \$12,236,888 - Financing: 2003 Equipment Acquisition Contractual Obligation Notes (\$9,034,030), Water Utilities Current Funds (\$1,128,201), Building Inspection Current Funds (\$284,670), and Current Funds (\$1,789,987) **[03-3330; APPROVED]**
39. Authorize a twelve-month price agreement for heavy equipment with the lowest responsible bidders of eleven - Continental Equipment Company, L.P., Crescent Machinery Co., Conley Lott Nichols of Texas, Inc., Romco Equipment Company, Tennant Sales and Service Company, Zimmerer Kubota & Equipment, Inc. - Not to exceed \$1,884,424 - Financing: 2003 Equipment Acquisition Contractual Obligation Notes (\$1,266,674), Water Utilities Current Funds (\$114,900), Current Funds (\$502,850) **[03-3331; APPROVED]**
40. Authorize a thirty-six-month price agreement for Carrier heating, ventilation and air conditioning equipment and parts for heating and cooling systems in City-owned and operated facilities with Carrier North Texas - Sole Source - Not to exceed \$291,904 - Financing: Current Funds **[03-3332; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

41. Authorize a thirty-six-month price agreement for Trane heating, ventilation and air conditioning equipment and parts for heating and cooling systems in City-owned and operated facilities with Texas Trane Company - Sole Source - Not to exceed \$133,700 - Financing: Current Funds **[03-3333; APPROVED]**
42. Authorize a thirty-six-month service contract for maintenance and repair of fuel pumps, dispensing equipment, lines and tanks with the lowest responsible bidder of two - Harper Maintenance Service, Inc. - Not to exceed \$400,290 - Financing: Current Funds **[03-3334; DID NOT PASS; BIDS REJECTED]**
43. Authorize a thirty-six-month service contract for grounds maintenance at seven Fire Department properties with the lowest responsible bidder of twelve (list attached) - Good Earth, Inc. - Not to exceed \$141,625 - Financing: Current Funds **[03-3335; APPROVED AS AN INDIVIDUAL ITEM]**
44. Authorize a forty-eight-month price agreement for mass market paperback books for Dallas Public Libraries with the lowest responsible bidder of two - Ingram Library Services, Inc. - Not to exceed \$340,000 - Financing: Current Funds **[03-3336; APPROVED]**
45. Authorize a thirty-six-month service contract for janitorial services at the Morton H. Meyerson Symphony Center, Latino Cultural Center and WRR Radio with TIBH Industries, Incorporated - Not to exceed \$1,485,409 - Financing: Current Funds (\$1,447,521), WRR Current Funds (\$37,888) **[03-3337; APPROVED AS AN INDIVIDUAL ITEM]**
46. Authorize a seventy-two-month service contract to upgrade or replace current incandescent traffic signal heads with LED signal units with the lowest responsible bidder of four - Amtech Lighting Services - Not to exceed \$4,091,295 - Financing: Current Funds **[03-3338; APPROVED]**
47. Authorize **(1)** a thirty-six-month service contract for overhaul and repair of pumps at Water Utilities wastewater treatment plants and Flygt submersible pumps at Water Utilities wastewater treatment plants and Flood Control District with the lowest responsible bidders of three - Anytime Pump Service Co. dba CIE and ITT Flygt Corp., and **(2)** the rejection of bids received for overhaul and repair of Flood Control District pumps and the readvertisement of new bids - Not to exceed \$1,463,810 - Financing: Water Utilities Current Funds (\$1,316,343), Current Funds (\$147,467) **[03-3339; APPROVED]**
48. Authorize a twenty-four-month price agreement for all software and hardware upgrades to the Dallas Water Utilities' existing Supervisor Control and Data Acquisition system which monitors the flow of drinking water throughout the City - ModComp, Inc. - Sole Source - Not to exceed \$139,200 - Financing: Water Utilities Current Funds **[03-3340; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS

49. Authorize a non-disclosure agreement with Motorola, Inc. to provide proprietary information concerning the design of the database for the Citizen Response Management System - Financing: No cost consideration to the City **[03-3341; APPROVED]**
50. Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowners, Lossie Bureson and Bivon Williams, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 2001-02 Community Development Grant Funds (\$50,825) and 2003-04 Community Development Grant Funds (\$4,175) **[03-3342; APPROVED]**
51. Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowner, Carl Leroy Carter, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 2001-02 Community Development Grant Funds (\$32,500) and 2003-04 Community Development Grant Funds (\$22,500) **[03-3343; APPROVED]**
52. Authorize a replacement housing payment for homeowner, Paul Paden, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$67,500 - Financing: 2003-04 Community Development Grant Funds **[03-3344; APPROVED]**
53. Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowner, Marion M. Warren, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 2001-02 Community Development Grant Funds (\$32,500) and 2003-04 Community Development Grant Funds (\$22,500) **[03-3345; APPROVED]**
54. Authorize amendments to Resolution Nos. 03-1919 and 03-1921 previously approved on June 25, 2003, to change the name of the contracting party from GS Renaissance LTD to GS Murray Development, Inc. for the redevelopment of the Gulf States Building located at 1415 Main Street in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) - Financing: No cost consideration to the City **[03-3346; APPROVED]**
55. An ordinance amending 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 - Financing: No cost consideration to the City **[03-3347; ORDINANCE 25440; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

56. An ordinance authorizing a correction to Ordinance No. 22969 that created Planned Development District No. 462 for Mixed Residential, Retail, and Office uses with urban design guidelines on property on both sides of Henderson Avenue between Central Expressway and Ross Avenue to correct the property description for Subdistrict 1 (Z956-326 JP) - Financing: No cost consideration to the City [03-3348; **ORDINANCE 25441; APPROVED AS AN INDIVIDUAL ITEM**]
57. An ordinance authorizing a correction to Ordinance No. 24472 for an RR Regional Retail District on Goldmark Drive at North Central Expressway to correct the property description (Z990-259 FD) - Financing: No cost consideration to the City [03-3349; **ORDINANCE 25442; APPROVED**]

State-Thomas TIF District

Note: Item Nos. 58 and 59 must be considered collectively.

58. * Authorize **(1)** a development agreement with Givens Records Development Ltd for the funding of design and construction of public improvements including paving, streetscape, and other improvements for The Metropolitan Club at Hotel Za Za condominium project located at the northwest corner of Thomas Avenue and Maple-Routh Connection with Thomas Avenue being in Tax Increment Financing Reinvestment Zone Number One (State-Thomas TIF District) in an amount not to exceed \$80,000; and **(2)** the establishment of appropriations in the amount of \$80,000 in the State-Thomas TIF District Fund - Total not to exceed \$80,000 - Financing: State-Thomas TIF District Funds (to be advanced by a private developer and reimbursed, with accrued interest, from State-Thomas TIF District Funds) [03-3350; **APPROVED**]
59. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number One (State-Thomas TIF District) to reimburse Givens Records Development Ltd, for the funds advanced pursuant to a development agreement between the City of Dallas and Givens Records Development Ltd, in an amount not to exceed \$80,000 plus interest, for public improvements including paving, streetscape, and other improvements related to the development of The Metropolitan Club at Hotel Za Za condominium project located at the northwest corner of Thomas Avenue and Maple-Routh Connection with Thomas Avenue being in Tax Increment Financing Reinvestment Zone Number One (State-Thomas TIF District) - Financing: No cost consideration to the City [03-3351; **APPROVED**]
60. Authorize the Clean Air Resolution and Clean Air Resolution Control Measures document adopted by the North Texas Clean Air Committee - Financing: No cost consideration to the City [03-3352; **APPROVED**]
61. Authorize an extension of the time frame for continuation of the Ideal Homebuyer Assistance Program from December 31, 2003 to December 31, 2005 - Financing: No cost consideration to the City [03-3353; **APPROVED**]

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 62, 63, and 64 must be considered collectively.

Land Transfer Program

62. * An ordinance amending Chapter 2 of the Dallas City Code to authorize changes in and extend time lines under a nonprofit organization's proposal to develop affordable housing on land purchased through an alternate manner of sale of tax foreclosed and seized real property and to update references to applicable state law - Financing: No cost consideration to the City [03-3354; **ORDINANCE 25443; APPROVED**]
63. * Authorize an amendment to the Program Statement of the Land Transfer Program to: **(1)** prohibit the qualified entity from using the tax-foreclosed, seized and surplus real property as security for other loans; **(2)** prevent the entity from purchasing additional tax-foreclosed, seized and surplus real property if it owns other property under this program that is within twelve months of being in default; **(3)** require the entity to submit a business plan and interim construction lender financing letter when the entity proposes changes in the end use or development timelines for property; and **(4)** provide for pre-qualification of eligible homebuyers at the time of obtaining interim construction loan financing from lender - Financing: No cost consideration to the City [03-3355; **APPROVED**]
64. * Authorize an amendment to the Land Transfer Program Proposals from St. Philip's Neighborhood Development Corporation to authorize changes in and extend the time lines for development of the properties at 3601 and 3609 Holmes Street and execution of correction deeds and amended Deed Restrictions - Financing: No cost consideration to the City [03-3356; **APPROVED**]
65. Authorize a public hearing to be held on January 14, 2004 to receive citizens' comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by Comcast Cable of Dallas, Inc. - Financing: No cost consideration to the City [03-3357; **APPROVED**]
66. Authorize a twelve-month contract with Dallas County Audubon Society, Inc., dba Audubon Dallas to provide services and programs within the City of Dallas for the period January 1, 2004 through December 31, 2004 - Not to exceed \$35,000 - Financing: Current Funds [03-3358; **APPROVED**]
67. Authorize a five-year lease agreement with two twenty-four month renewal options between the City of Dallas Park and Recreation Department and the Dallas Housing Authority to provide leisure services and programs at the Rhoads Terrace Residential Development located at 5712 Pilgrim Street - Not to exceed \$1.00 annually - Financing: Current Funds [03-3359; **APPROVED**]

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

68. Authorize application for and acceptance of the Internet Crimes Against Children Task Force supplemental grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for the continued response to the sexual abuse and exploitation of children which is facilitated by the use of computer technology, for the period July 1, 2003 through December 30, 2004 - \$600,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds **[03-3360; APPROVED]**
69. Authorize **(1)** the Dallas Police Department to expend funds for overtime, in the amount of \$500,000, to be reimbursed from various federal and state law enforcement agencies for FY 2003-04 in exchange for the participation of the Dallas Police Department in federal and state investigations **(2)** a City contribution of pension and Federal Insurance Contributions Act cost in the amount of \$141,100 - Not to exceed \$641,100 - Financing: Current Funds (\$141,100) and (\$500,000 to be reimbursed from various federal and state law enforcement agencies) **[03-3361; APPROVED]**
70. Authorize an Interlocal Agreement and Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period October 1, 2003 through September 30, 2004 - Financing: No cost consideration to the City **[03-3362; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT **[03-3363]**

71. An application for and an ordinance granting an amendment to and expansion of Planned Development District No. 251 for R-7.5(A) Single Family District uses and a private school use on property zoned Planned Development District No. 251 and an R-7.5(A) Single Family District on the southwest corner of Lake Highlands Drive and Buckner Boulevard
Recommendation of Staff and CPC: Approval, subject to development plans, a traffic management plan and conditions
Z023-134 (WE) **[03-3364; APPLICATION APPROVED; ORDINANCE TO COME BACK LATER]**
72. An application for and an ordinance granting a Specific Use Permit for a Community Service Center on property zoned an R-5(A) Single Family District on the southwest corner of Dixon Avenue and Audrey Street
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods subject to a site/landscape plan and conditions
Z023-283(DW) **[03-3365; ORDINANCE 25444; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

73. An application for and an ordinance granting a P(A) Parking District on property zoned an R-5(A) Single Family District located on the south side of Morris Street west of Westmoreland Road
Recommendation of Staff and CPC: Approval, subject to a site plan
Z023-284(DW) [03-3366; **ORDINANCE 25445; CPC RECOMMENDATION FOLLOWED**]
74. An application for and an ordinance granting an amendment to the Tract 1 Development Plan/Tract 2 Conceptual Plan and conditions for Planned Development District No. 622 for Single family uses, Private streets, and an Accessory community center (private) located on the east line of Campbell Road, south of Summerside Drive
Recommendation of Staff and CPC: Approval
Z023-298 (MM) [03-3367; **ORDINANCE 25446; CPC RECOMMENDATION FOLLOWED**]
75. An application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District on the northwest side of Stutz Drive between Maple Avenue and Forest Park Road and resolutions accepting deed restrictions volunteered by the applicant and an avigation easement, release, indemnification and disclosure agreement
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to an avigation easement, release, indemnification and disclosure agreement and deed restrictions volunteered by the applicant
Z023-300 (MM) [03-3368; **ORDINANCE 25447; CPC RECOMMENDATION FOLLOWED**]
76. An application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District on the southeast side of Stutz Drive between Maple Avenue and Forest Park Road and resolutions accepting deed restrictions volunteered by the applicant and an avigation easement, release, indemnification and disclosure agreement
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to an avigation easement, release, indemnification and disclosure agreement and deed restrictions volunteered by the applicant
Z023-301 (MM) [03-3369; **ORDINANCE 25448; CPC RECOMMENDATION FOLLOWED**]
77. An application for and an ordinance granting a Specific Use Permit for a Convalescent and Nursing home, Hospice Care and Related Institutions on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, at the northwest corner of Martin Luther King Jr. Boulevard and Malcolm X Boulevard
Recommendation of Staff and CPC: Approval, for a ten-year period with automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions
Z023-302 (WE) [03-3370; **ORDINANCE 25449; CPC RECOMMENDATION FOLLOWED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

78. An application for and an ordinance granting a Planned Development District for CR Community Retail District uses and vehicle display, sales and service uses and an ordinance granting termination of Specific Use Permit No. 1356 for a Hotel or motel for that portion encompassing the site on property zoned a CR Community Retail District on the southeast corner of Lemmon Avenue and Lovers Lane
Recommendation of Staff and CPC: Approval, subject to a development plan/landscape plan and conditions and approval of the termination of Specific Use Permit No. 1356 for a Hotel or motel for that portion encompassing the site
Z023-304 (WE) [03-3371; CONTINUANCE UNTIL 01/14/04; HEARING OPEN]
79. An application for and an ordinance granting an RR Regional Retail District on property zoned an MC-4 Multiple Commercial District north of Northwest Highway and east of Jupiter Road and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z023-303 (WE) [03-3372; ORDINANCE 25450; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

80. An application for an IM Industrial Manufacturing District with consideration of deed restrictions volunteered by the applicant and an application for a Specific Use Permit for an Auto Auction on property zoned an IR Industrial Research District located on Northwest Highway, west of Spangler Road
Recommendation of Staff: Approval of an IM District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for an Auto auction for a five-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Denial
Z023-285 (RB) [03-3373; REFER BACK TO THE CITY PLAN COMMISSION]
81. A City Plan Commission authorized hearing to determine the proper zoning on property zoned an R-7.5(A) Single Family District, an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay, an MF-2(A) Multifamily District and a CR-MD-1 Community Retail District with a Modified Delta Overlay on property generally bounded by McCommas Boulevard, Greenville Avenue, Vanderbilt Avenue and Skillman Street and including both sides of McCommas Boulevard and Vanderbilt Avenue (the M Streets East neighborhood) and an ordinance granting a Conservation District
Recommendation of Staff: Approval
Recommendation of CPC: Approval, with exception of the 5900 and 6000 blocks of Marquita Avenue
Z023-147 (NB) [03-3374; DELETED ON THE ADDENDUM]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

82. 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 located east of Seagoville Road, north of Woody Road and south of Beltline Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z023-286 (DW) [03-3375; ORDINANCE 25451; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

83. 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 and an ordinance granting an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595 and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Approval of a Planned Development District subject to a revised development plan and conditions
Recommendation of CPC: Approval of a Planned Development District subject to a development/landscape plan and conditions
Z023-264 (RB) [03-3376; ORDINANCE 25452; CPC RECOMMENDATION FOLLOWED]
Note: This item was considered by the City Council at public hearings on October 22 and November 12, 2003, and was taken under advisement until December 8, 2003, with the public hearing open.

STREET NAME CHANGE - INDIVIDUAL

84. An application for and an ordinance waiving certain street name change standards and changing the name of 4th Avenue to J.B. Jackson Avenue between Liberty Park and Oak Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval of the change to J.B. Jackson, Jr. Boulevard between Liberty Park and Parry Avenue/Gunter Street , and denial of that portion between Parry Avenue/Gunter Street and Oak Street
NC023-001 [03-3377; ORDINANCE 25453; CPC RECOMMENDATION FOLLOWED]
85. An application for and an ordinance waiving certain street name change standards and changing the name of Hastings Street to Maurine F. Bailey Way between Bexar St/Myrtle St and Malcolm X Boulevard
Recommendation of Staff and CPC: Approval
NC023-002 [03-3378; ORDINANCE 25454; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

86. Consideration of an amendment to Chapter 51 and 51A of the Dallas Development Code to amend the sign regulations to allow subdivision signs in the public right-of-way and an ordinance granting the amendment
Recommendation of Staff and CPC: Approval
DCA 023-006 (SR) [03-3379; ORDINANCE 25455; CPC RECOMMENDATION FOLLOWED]

FLOODPLAIN APPLICATIONS

87. Application for a fill permit and removal of the floodplain (FP) prefix from 9.98 acres of land, zoned Industrial Retail (IR) and MC1, currently in the 100-year flood plain of Mountain Creek and Stream 8C1 located at 5850 West Davis Street and U.S. Hwy 80 (Loop 12) - Fill Permit 00-02 - Financing: No cost consideration to the City
[03-3380; APPROVED]
88. Application for a fill permit and removal of the floodplain (FP) prefix from 5.16 acres of land, zoned R7.5, currently in the 100-year floodplain of lower White Rock Creek and the Trinity River located at Lake June Road and Guard Drive - Fill Permit 02-02 - Financing: No cost consideration to the City **[03-3381; APPROVED]**

BENEFIT ASSESSMENT HEARINGS

89. A benefit assessment hearing to receive citizens' comments on street paving and water main improvements on Howell Street from Fairmount Street to Allen Street/McKinney Avenue, and upon closure of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with SYB Construction Company, Inc., lowest responsible bidder of seven - \$787,546 - Financing: 1998 Bond Funds (\$423,753), 2003 Bond Funds (\$181,608), Water Utilities Capital Improvement Funds (\$180,585), Water Utilities Capital Construction Funds (\$1,600) **[03-3382; HEARING CLOSED; ORDINANCE 25456; APPROVED]**

MISCELLANEOUS HEARINGS

90. A public hearing to receive citizens' comments on the proposed City of Dallas Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City **[03-3383; HEARING CLOSED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

91. 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) **[03-3384; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Note: Item Nos. 92, 93, and 94 must be considered collectively.

City Center TIF District

92. * Authorize **(1)** a development agreement with Ervay Residential Partner, Inc. to provide for the funding of facade, demolition, environmental remediation, and other authorized improvements related to the redevelopment of the Republic Center Tower I located at 300 Ervay Street in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) in an amount not to exceed \$4,605,000; and **(2)** the establishment of appropriations in the amount of \$4,605,000 in the City Center TIF District Fund - Total not to exceed \$4,605,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed with accrued interest, from the City Center TIF District Fund) **[03-3385; APPROVED]**
93. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse Ervay Residential Partner, Inc. for funds advanced pursuant to a development agreement between the City and Ervay Residential Partner, Inc. in an amount not to exceed \$4,605,000, plus interest, for facade improvements, demolition, environmental remediation, and other authorized improvements related to the redevelopment of the Republic Center Tower I located at 300 Ervay Street in the City Center TIF District - Financing: No cost consideration to the City **[03-3386; APPROVED]**
94. * Authorize a Neighborhood Revitalization and Historic Preservation program tax abatement for the Republic Center Tower 1, 325 N. St. Paul for nine years on the added value of the structure (land not included) - Financing: No cost consideration to the City (Estimated revenue foregone over nine years is \$1,438,194) **[03-3387; APPROVED]**
95. Authorize **(1)** adoption of the preliminary FY 2003-04 Consolidated Plan Reprogramming Budget #3 in the amount of \$1,980,796, **(2)** a public hearing to be held on January 14, 2004 to receive citizens' comments on the proposed use of funds and **(3)** at the close of the public hearing, consideration of final adoption of Reprogramming #3 - Financing: No cost consideration to the City **[03-3388; APPROVED]**
96. Authorize **(1)** the acceptance of a partnership donation in the amount of \$500,000 from the Dallas Independent School District for a new soccer field, softball field, baseball field, concession and rest room structures and associated parking, **(2)** an Interlocal Agreement with Dallas Independent School District for a new soccer field, softball field, baseball field, concession and rest room structures and associated parking at Randall Park, **(3)** the establishment of appropriations in the amount of \$500,000 in the Capital Gift and Donation Improvements Fund, and **(4)** a professional services contract with Jones & Boyd, Inc. to provide design services for the construction of a new soccer field, softball field, baseball field, concession and rest room structures and associated parking at Randall Park - Total not to exceed \$181,500 - Financing: 2003 Bond Funds **[03-3389; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

97. An ordinance amending Chapter 45 of the Dallas City Code to set standards for determining the number of taxicabs, strengthening driver requirements and discipline, allowing discount fares, creating a flat rate zone to and from Love Field Airport and D/FW International Airport to the Dallas Market Center area, requiring credit card acceptance and revising insurance liability requirements to match the D/FW Airport and the City of Fort Worth's requirement of \$500,000 combined single limit - Estimated revenue reduction for FY 2003-04 (\$59,969) and for FY 2004-05 (\$42,937) - Total Estimated Revenue Loss: \$102,906 **[03-3390; ORDINANCE 25457; APPROVED AS CORRECTED ON THE ADDENDUM]**
98. Authorize acceptance of the "Balanced Vision Plan" for the Trinity River Corridor Project to be included as a supplement to the Master Implementation Plan to guide future planning of the project - Financing: No cost consideration to the City **[03-3391; APPROVED AS AMENDED]**
99. Authorize an Interlocal Agreement with the Texas Transportation Institute to study the legibility of smaller letter heights on arterial dynamic message signs - \$55,000 - Financing: 1995 Bond Funds **[03-3392; APPROVED]**
100. Authorize the City of Dallas to participate with the Sulphur River Basin Authority and other area water purveyors to determine the feasibility of obtaining water from the proposed Marvin Nichols Reservoir - Not to exceed \$600,000 - Financing: Water Utilities Current Funds **[03-3393; DELETED ON THE ADDENDUM]**

ITEMS FOR FURTHER CONSIDERATION

101. An ordinance granting a private license to Children's Medical Center of Dallas for the use of approximately 1,340 square feet of land to construct and maintain a pedestrian skybridge over a portion of Motor Street right-of-way located near its intersection with Amelia Court - Revenue: \$1,000 plus the \$20 ordinance publication fee **[03-3394; ORDINANCE 25458; APPROVED AS CORRECTED ON THE ADDENDUM]**

Closed Session **[03-3395; CLOSED SESSION NOT HELD]**

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
- Performance Evaluation of City Auditor Thomas M. Taylor

ADDENDUM

ADDITIONS:

Closed Session [03-3396; CLOSED SESSION HELD]

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

- Legal issues involving Chapter 2 Ordinance - Eminent Domain Proceedings for Personal Property
- City of Dallas, Texas et al. v. Doug Vanesko, et al., Appeal No. 05-03-00022-CV, Cause No. DV-00-01591-L
- Pedro A. Lopez, Lela Sims, Robert Sims, Luis Alfredo Sierra T., Yolanda C. Sierra, Homer Hinojosa, Lucinda Hinojosa, and Ilda Cisneros v. COD, Civil Action No. 3:03-CV-2223-L

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with Carter & Burgess, Inc. to provide planning services for the Downtown Parks Master Plan to include physical planning and site programming for additional proposed urban park sites, and an economic and market analysis and **(2)** an increase in appropriations in the amount of \$35,374 in Capital Gifts, Donation and Development Funds - \$85,749, from \$365,000 to \$450,749 - Financing: Capital Gifts, Donation and Development Funds (\$35,374) and City Center TIF District Funds (\$50,375) [03-3397; APPROVED]
2. Authorize Supplemental Agreement No. 1 to the contract with Conley Design Group, Inc. to provide design services and construction administration for the revised scope of work for Phase III structural restoration of the Poultry Building within the Pan American Complex at Fair Park - \$69,310, from \$295,060 to \$364,370 - Financing: Fair Park Agrarian District Grant Funds (Grantor, Texas Department of Agriculture Grant) [03-3398; APPROVED]
3. Authorize an increase in the contract with Harrison Quality Construction, Inc. for the renovation and expansion of the existing Audelia Road Branch Library located at 10045 Audelia Road to provide an overflow parking lot - \$179,700, from \$1,594,151 to \$1,773,851 - Financing: 1998 Bond Funds [03-3399; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

4. Authorize Supplemental Agreement No. 2 to the contract with HBC/Terracon for additional environmental consulting and engineering services related to Deepwood and Loop 12 landfill sites near Loop 12 and Jim Miller Road - \$639,510, from \$1,399,099 to \$2,038,609 - Financing: 2003 Certificates of Obligation (\$330,910), 1998 Bond Funds (\$308,600) **[03-3400; APPROVED AS AN INDIVIDUAL ITEM]**

Construction Miscellaneous

5. Authorize assignment of the architectural contract for the new Animal Shelter from The Hillier Group to Workarchitecture, P.L.L.C. - Financing: No additional cost consideration to the City **[03-3401; APPROVED AS AN INDIVIDUAL ITEM]**

LAND MISCELLANEOUS

6. An ordinance abandoning a portion of Lynn Street and alleys to Southwest Airlines Co., the abutting owner, containing approximately 37,801 square feet of land located near the intersection of Love Field and Denton Drives, and authorizing the quitclaim - Revenue: \$273,112 plus the \$20 ordinance publication fee **[03-3402; ORDINANCE 25459; APPROVED]**
7. An ordinance abandoning portions of Meadow Street, Garden Lane, and Roberts Avenue to Parmer Villas Housing, L.P., the abutting owner, containing approximately 86,787 square feet of land located near the intersection of Hatcher and Meadow Streets, and authorizing the quitclaim - Revenue: \$73,769 plus the \$20 ordinance publication fee **[03-3403; ORDINANCE 25460; APPROVED]**
8. An ordinance abandoning a sanitary and storm sewer easement to Resland Development Corporation, the abutting owner, containing approximately 16,941 square feet of land located near the intersection of Saner and Pierce Streets, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-3404; ORDINANCE 25461; APPROVED]**
9. An ordinance granting a revocable license to Southwest Airlines Company for the use of approximately 1,880 square feet of land to install and maintain concrete duct banks under portions of Denton Drive and Wyman Street rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[03-3405; ORDINANCE 25462; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS (Continued)

10. An ordinance granting renewal of a private license to L L Property Partners, L.P., for the use of approximately 57,788 square feet of land maintaining an existing access drive, decorative steel fencing, security guard kiosk, parking and landscaping on City-owned property located at the intersection of Lemmon Avenue and Lovers Lane - Revenue: \$58,944 annually plus the \$20 ordinance publication fee **[03-3406; ORDINANCE 25463; APPROVED]**
11. Authorize a sixty-month lease agreement with Garland Development Group, L.P. for approximately 2,954 square feet of office space located in the Ridgewood Village Shopping Center at 3050 South First Street, Suite 207, Garland, Texas, to be used as a Women, Infants and Children clinic for the period January 1, 2004 through December 31, 2008 - Total not to exceed \$192,010 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations) **[03-3407; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES, AND SERVICES

12. Authorize a thirty-six-month price agreement for wireless phone and data services and communication equipment with the most advantageous proposer of five - Verizon Wireless - Not to exceed \$1,500,000 - Financing: Current Funds **[03-3408; APPROVED]**

MISCELLANEOUS

13. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Webb & Webb, for additional legal services and representation of the City in Matters Related to the Statement of Intent of TXU Gas Company to Change Rates in the Company's Statewide Gas Utility System, Railroad Commission of Texas Gas Utilities Docket No. 9400 (consolidated) - Not to exceed \$117,250, from \$15,000 to \$132,250 - Financing: Current Funds **[03-3409; APPROVED]**
14. Authorize Supplemental Agreement No. 1 to the professional services contract with Robert W. Taylor, Attorney at Law, for additional services and related expenses necessary in the negotiations with SBC Communications, Inc., regarding Voice Over Internet Protocol issues, and any other proceedings relating to the subject matter of this dispute - Not to exceed \$50,000, from \$20,000 to \$70,000 - Financing: Current Funds **[03-3410; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

15. Authorize a professional services contract with the law firm of Mounce, Green, Myers, Safi & Galatzan P.C., for legal services and representation of the City in Matters Related to the Statement of Intent of TXU Gas Company to Change Rates in the Company's Statewide Gas Utility System, Railroad Commission of Texas Gas Utilities Docket No. 9400 (consolidated) - Not to exceed \$203,250 - Financing: Current Funds [03-3411; APPROVED]
16. Authorize a professional services contract with Biodynamic Research Corporation for the expert services of Richard Harding, MB BS, Ph.D., and related expenses necessary in the lawsuit styled Greenhaw, Danny v. City of Dallas, Cause No. DV02-08302-J, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$23,900 - Financing: Current Funds [03-3412; APPROVED]
17. Authorize Supplemental Agreement No. 3 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 \$25,000, from \$300,000 to \$325,000 - Financing: Current Funds [03-3413; APPROVED]
18. Authorize Supplemental Agreement No. 1 to the professional services contract with Diversified Utility Consultants, Inc., for additional expert consulting services and testimony in Matters Related to the Statement of Intent of TXU Gas Company to Change Rates in the Company's Statewide Gas Utility System, Railroad Commission of Texas Gas Utilities Docket No. 9400 (consolidated) - Not to exceed \$183,000, from \$42,000 to \$225,000 - Financing: Current Funds (to be fully reimbursed by Oncor/TXU Gas) [03-3414; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

19. Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Ted B. Lyon & Associates, P.C., for additional legal services and related expenses necessary in the lawsuit styled City of Dallas v. Explorer Pipeline Company, Inc., Atofina Petrochemicals, Inc. fka Fina Oil & Chemical Company, Exxon Mobil Corporation, Inc., Diamond Shamrock Refining & Marketing Company, Inc., Conoco, Inc., Phillips Petroleum Company, Inc., Chevron USA, Inc., Motiva Enterprises, LLC, Equilon Enterprises, LLC, The Premcor Refining Group, Inc., fka Clark Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company fka Amoco Corporation and Does 1 through 100; Cause No. DV00-09678-H, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$283,824, from \$807,000 to \$1,090,824 - Financing: Current Funds [03-3415; APPROVED]
20. Authorize the initial planning for a possible major sports celebration in honor of the Dallas Cowboys on or about February 3, 2004, in accordance with Resolution No. 93-4570, "A Policy Statement for Major Sports Celebrations" - Financing: This action has no cost consideration to the City [03-3416; APPROVED]
21. A resolution authorizing the dissolution of the Railtran Policy Committee, the Dallas Facilities Development Authority, Inc. and the Dallas Higher Education Authority, Inc. - Financing: No cost consideration to the City [03-3417; APPROVED AS AN INDIVIDUAL ITEM]
22. Authorize an amendment to the Interlocal Agreement with the Dallas County Health and Human Services Department to provide professional services of its Health Authority to the City for the period October 1, 2003 through September 30, 2005 - Not to exceed \$10,000, from \$10,000 to \$20,000 - Financing: Current Funds (subject to annual appropriations) [03-3418; APPROVED]
23. Authorize the acceptance of grant funds from the U.S. Department of Homeland Security, Office of Domestic Preparedness to purchase terrorism response equipment for the period December 8, 2003 through April 30, 2005 - Not to exceed \$400,000 - Financing: U.S. Department of Homeland Security, Office of Domestic Preparedness Grant Funds [03-3419; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

24. Authorize the **(1)** sale, assignment and transfer of the City's Intown Housing Section 108 loan for the Deep Ellum Lofts located at 3300 Main, to Henry S. Miller Investment Company for a sale price equal to 60% of loan value at the time of closing, or, should the sale to Henry S. Miller not close for any reason by January 7, 2004, **(2)** sale, assignment and transfer of the City's Intown Housing Section 108 loan for the Deep Ellum Lofts to Pan American Capital Corporation 1995, for a sale price equal to 60% of loan value at the time of closing, with closing to occur no later than February 23, 2004 - Estimated Revenue: \$1,800,000 (60% of loan value at the time of closing) **[03-3420; APPROVED AS AN INDIVIDUAL ITEM]**
25. Authorize an amendment to the maintenance agreement with American Management Systems, Inc. to provide an assessment of the requirements to upgrade the City's automated financial system to Advantage Financial 3 by October 1, 2005 - Not to exceed \$138,180 - Financing: Current Funds **[03-3421; APPROVED]**
26. Authorize **(1)** the receipt and deposit of funds from ONCOR for the installation of electricity meters at all City-owned non-metered signalized intersections throughout the City of Dallas, and **(2)** an increase in appropriations in the amount of \$550,000 in the Department of Public Works and Transportation budget - \$550,000 - Financing: Private Funds **[03-3422; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - INDIVIDUAL

27. An application for a Planned Development District for a private school and MU-3 Mixed Use District uses and termination of Specific Use Permit No. 1471 on property zoned an MU-3 Mixed Use District located on Merit Drive between Clodus Fields Drive and Churchill Way with consideration given to a Specific Use Permit for a private school use
Recommendation of Staff: Approval of a Specific Use Permit for a private school, subject to site plans (Phases 1-3), landscape plan, and conditions for a 10-year period with eligibility for automatic renewal for additional 10 year periods in lieu of the requested Planned Development District
Recommendation of CPC: Approval of a Specific Use Permit for a private school, subject to site plans (Phases 1-3), landscape plan, and conditions for a permanent time period in lieu of the requested Planned Development District
Z023-276 (WE) [03-3423; CPC RECOMMENDATION FOLLOWED]

ADDENDUM

ADDITIONS:

ITEMS FOR INDIVIDUAL CONSIDERATION

28. An ordinance amending Chapter 2 of the Dallas City Code to authorize eminent domain proceedings for personal property located inside or outside the city of Dallas and to provide for the measure of damages - Financing: No cost consideration to the City **[03-3424; ORDINANCE 25464; APPROVED]**
29. An ordinance amending Chapter 6 of the Dallas City Code to **(1)** prohibit variances from the distance requirements for alcoholic beverage licenses and permits, or in the alternative, **(2)** establish procedures for granting variances from the distance requirements for alcoholic beverage licenses and permits - Financing: No cost consideration to the City **[03-3425; ORDINANCE 25465; APPROVED]**
30. An ordinance abandoning Brogden Lane, Woodglen Street and Wardmont Avenue to Dallas Independent School District, the abutting owner, containing approximately 197,663 square feet of land located near the intersection of Polk Street and Daniieldale Road, providing for the dedication of approximately 101,948 square feet of land needed for street right-of-way and authorizing the quitclaim - Revenue: \$18,712 plus the \$20 ordinance publication fee **[03-3426; ORDINANCE 25466; APPROVED]**
31. Authorize **(1)** the acceptance of the only bid received for the sale or exchange of a surplus tract of land owned by the Cities of Dallas and Fort Worth, Texas, containing approximately 30 acres (Owner Tract) located within the boundaries of Dallas/Fort Worth International Airport (DFW) on the west side of State Highway 360, north of State Highway 183 in Euless, Texas, from Bear Creek Associates IV, L.P., **(2)** the acceptance of an unimproved tract of land containing approximately 46 acres located north of State Highway 183, east of State Highway 360 and adjacent to DFW, in exchange for the conveyance of the Owner Tract and **(3)** the conveyance of the Owner Tract to Bear Creek Associates IV, L.P. - Financing: No cost consideration to the City **[03-3427; APPROVED]**
32. Authorize a twelve-month price agreement to provide an opening day collection of books for the new Arcadia Park Branch Library with the lowest responsible bidder of four - Brodart Co. - Not to exceed \$433,580 - Financing: 2003 Bond Funds **[03-3428; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

33. Authorize **(1)** the creation of six additional Inspector II positions in the Transportation Regulation Program for the purpose of effectively regulating the 275 taxicab, shuttle, private ambulance, vehicle tow service, emergency wrecker and non-motorized passenger vehicle companies and their 4,500 vehicles and drivers, and **(2)** an increase in appropriations in the amount of \$90,000 in the Public Works and Transportation budget to fund those positions - Not to exceed \$90,000 - Financing: Contingency Reserve Funds **[03-3429; APPROVED]**

34. Authorize a moratorium on the acceptance of applications for certificates of appropriateness or permits for kiosks in certain special provision sign districts beginning on the effective date of this resolution up to and including April 6, 2004 - Financing: No cost consideration to the City (via Mayor Miller) **[03-3430; REFER TO THE SPECIAL PROVISIONS SIGN COMMITTEE FOR CRITERIA; RETURN TO CITY COUNCIL IN 60 DAYS]**

CORRECTIONS:

13. Authorize **(1)** the acceptance of two loans from the State of Texas Energy Conservation Office in the amounts of \$5,000,000 and \$4,468,570 to be repaid in ten annual payments of \$1,134,968, beginning in FY 2004-05, from electric and natural gas energy savings, **(2)** Supplemental Agreement No. 1 for Phase 2 of the energy services contract with TAC Americas, Inc. to perform design and construction of energy conservation related projects at the following six facilities: City Hall at 1500 Marilla, Central Library at 1515 Young Street, Oak Cliff Municipal Center at 320 East Jefferson Boulevard, Martin Luther King, Jr. Center at 2922 MLK Boulevard, Arts District Parking Garage at 2301 Ross Avenue, and Mountain Creek Branch Library at 6102 Mountain Creek Parkway, in an amount not to exceed \$9,468,570; and for performance assurance support services in the amount of \$147,866 annually, for ten years, for a total not to exceed \$1,478,660, to be paid from electric and natural gas savings; and **(3)** the establishment of appropriations in an amount not to exceed \$9,468,570 in the General Capital Reserve Fund - Financing: Loans from Texas State LoanStar Program (\$9,468,570); Current Funds (\$12,828,340) **[03-3305]**

ADDENDUM

CORRECTIONS: (Continued)

97. An ordinance amending Chapter 45 of the Dallas City Code to: ~~set standards for determining the number of taxicabs, strengthening driver requirements and discipline, allowing discount fares, creating a flat rate zone to and from Love Field Airport and D/FW International Airport to the Dallas Market Center area, requiring credit card acceptance and revising insurance liability requirements to match the D/FW Airport and the City of Fort Worth's requirement of \$500,000 combined single limit~~ (1) provide for appeals to the permit and license appeal board for actions taken on taxicab operating authority and taxicab driver's licenses; (2) provide standards for determining the number of taxicabs required for the public convenience and necessity; (3) provide for the reduction of taxicabs authorized to operate in the city; (4) strengthen requirements for taxicab driver discipline and training; (5) increase the required limits of liability for taxicab insurance to \$500,000 combined single limit; (6) provide flat rate fares from Love Field Airport and Dallas Fort Worth International Airport to the Dallas Market Center area, (7) allow discounted fares for taxicab service; (8) provide for the collection of fares by credit card; (9) repeal Resolution No. 03-2863 relating to the taxicab moratorium; and (10) make certain nonsubstantive changes - Estimated revenue reduction for FY 2003-04 (\$59,969) and for FY 2004-05 (\$42,937) - Total Estimated Revenue Loss: \$102,906 [03-3390]
101. An ordinance granting a private license ~~abandoning air rights over a portion of Motor Street to Children's Medical Center of Dallas, the abutting owner, for the use of containing approximately 1,340 square feet of land to construct and maintain a pedestrian skybridge over a portion of Motor Street right-of-way located near its intersection with Amelia Court~~ Medical Center Drive, and authorizing the quitclaim - Revenue: \$1,000 \$9,439 plus the \$20 ordinance publication fee [03-3394]

DELETIONS:

23. Authorize an Interlocal Agreement with the Texas Department of Transportation for right-of-way acquisition and utility relocation on the Woodall Rodgers Extension (Spur 366) from IH 35E across the Trinity River to the intersection of Beckley Avenue and Singleton Boulevard - \$2,950,000 - Financing: 1998 Bond Funds [03-3315]

ADDENDUM

DELETIONS: (Continued)

81. A City Plan Commission authorized hearing to determine the proper zoning on property zoned an R-7.5(A) Single Family District, an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay, an MF-2(A) Multifamily District and a CR-MD-1 Community Retail District with a Modified Delta Overlay on property generally bounded by McCommas Boulevard, Greenville Avenue, Vanderbilt Avenue and Skillman Street and including both sides of McCommas Boulevard and Vanderbilt Avenue (the M Streets East neighborhood) and an ordinance granting a Conservation District
Recommendation of Staff: Approval
Recommendation of CPC: Approval, with exception of the 5900 and 6000 blocks of Marquita Avenue
Z023-147 (NB) [03-3374]

100. Authorize the City of Dallas to participate with the Sulphur River Basin Authority and other area water purveyors to determine the feasibility of obtaining water from the proposed Marvin Nichols Reservoir - Not to exceed \$600,000 - Financing: Water Utilities Current Funds **[03-3393]**