

**ADDENDUM
CITY COUNCIL MEETING
JUNE 23, 2004
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A.M.**

ADDITIONS:

Closed Session

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

- Jacinto Jesus Mejia v. City of Dallas, et al., Cause No. 3:03-CV-0352-L
- Lorenzo Escamilla v. City of Dallas, et al., Cause No. 3:03-CV-0848-K
- George Sifuentez v. City of Dallas, et al., Cause No. 3:03-CV-0961-K
- Israel Pineda v. City of Dallas, et al., Cause No. 3:04-CV-0071-K
- Cruz et al. v. City of Dallas, et al., Cause No. 3:02-CV-0649-K
- Betty Jenkins v. City of Dallas, et al., Cause No. 3:03-CV-0810-K
- Everett and Grogan v. City of Dallas, et al., Cause No. 3:04-CV-0192-K
- Yvonne Gwyn v. City of Dallas, et al., Cause No. 3:02-CV-2121-K
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Jaime Chavez et al. v. City of Dallas, et al., Cause No. 3:04-CV-0510-K
- Ninfa Juarez, et al. v. Honorable Laura Miller, et al., Cause No. 02-11545-A
- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1997-H

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

1. Authorize **(1)** a professional services contract with Schrickel, Rollins and Associates, Inc. to develop a master plan for the Trinity River Whitewater Park; and **(2)** assignment of the contract to the Park and Recreation Department to manage - \$61,974 - Financing: 1998 Bond Funds
2. Authorize a professional services contract with Half Associates, Inc. for design, preparation of construction documents, and construction management for the Great Trinity Forest - Santa Fe Trestle Trail, including the rehabilitation of the old historic steel truss structure, removing wooden trestles, removing earthen embankment and installing a new bridge structure across the Trinity River - \$1,116,282 - Financing: 1998 Bond Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with HNTB Corporation for the design and preparation of construction documents for the reconstruction of new runway and taxiway shoulders, drainage improvements, erosion control, taxiway centerline lights, and security fence relocation at Dallas Love Field Airport - \$384,151 - Financing: Aviation Capital Construction Funds

Contract Amendments

4. Authorize Supplemental Agreement No. 4 to the contract with Brown, Reynolds and Watford Architects, Inc. to provide schematic design through construction administration for the Trinity Interpretive Center, Trinity Equestrian Center and Trails - \$2,812,000, from \$676,250 to \$3,488,250 - Financing: 1998 Bond Funds
5. Authorize an increase in the contract with JRJ Paving, LP for additional resurfacing improvements on the 8400, 8500, 8600 and 8700 blocks of Ambassador Row in the Asphaltic Concrete Street Resurfacing Group 2 for 2004 - \$45,385, from \$4,582,912 to \$4,628,297 - Financing: 2003 Bond Funds
6. Authorize **(1)** a decrease in the contract with CST Environmental, Inc. for demolition and environmental remediation related to the redevelopment of the Dallas Power and Light building at 1506-1512 Commerce Street, in an amount not to exceed (\$133,642), from \$2,697,800 to \$2,564,158, **(2)** an increase in the contract with Andres Construction Services, LLC for excavation for a future garage, replacement of windows, sills and exterior doors, and waterproofing related to the redevelopment of the Dallas Power and Light building at 1506-1512 Commerce Street in an amount not to exceed \$209,934, from \$2,472,121 to \$2,682,055, **(3)** assignment of the contract to Hamilton DPL Development, Inc. for construction management, and **(4)** a decrease in the payment to Hamilton DPL Development, Inc. in an amount not to exceed (\$76,292), from \$1,333,238 to \$1,256,946 for design, reimbursables and construction management - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS

7. Authorize a first amendment to the lease agreement with 8035 East RLT, LP to renew and extend the lease for approximately 7,439 square feet of office space located at 8035 East RL Thornton Freeway to be used by the Food Protection and Education program for the period July 1, 2004 through June 30, 2011 - Not to exceed \$852,510 - Financing: Current Funds (subject to annual appropriations)
8. An ordinance abandoning easements containing a total of approximately 13,031 square feet of land, an alley, a portion of an alley and portions of Lakemont and Wilada Drives containing a total of approximately 30,626 square feet of land to Montclair Partners, L.P., the abutting owner, located near the intersection of Lakemont Drive and Cortez Drive in exchange for the dedication of approximately 51,410 square feet of land for private streets and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee
9. An ordinance abandoning a portion of Military Parkway to Military Parkway U-Stor, LLC, the abutting owner, containing approximately 27,982 square feet of land located near its intersection with Parkdale Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee
10. An ordinance reauthorizing the abandonment of an alley to La Calle Diez Community Development Corporation, the abutting owner, containing approximately 8,812 square feet of land located near the intersection of Denver and Tenth Streets in exchange for the dedication of approximately 8,812 square feet of land needed for street and alley rights-of-way and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

11. Authorize **(1)** settlement of existing disputes respecting the telecommunications agreement with SBC Global Services, Inc. dated November 20, 2000, and telecommunications equipment lease with Ameritech Credit Corporation d/b/a SBC Capital Services (SBC Capital) dated September 29, 2000; and **(2)** an eighty-four-month agreement with SBC DataComm, Inc. for telecommunications service including voice (dial tone) and data network services, network management, monitoring, maintenance, perimeter security, and related services and an eighty-four-month equipment lease with SBC Capital Services for telecommunications equipment for the City - Not to exceed \$59,984,714 - Financing: Current Funds (subject to annual appropriations)
12. A resolution confirming the sale of one 1998 John Deere 710D backhoe loader, equipment number 989008 to Tommy Patrick Clark in the amount of \$26,000, two 1996 CAT 436 C backhoe loaders, equipment numbers 969043 and 969044, and one 1991 International 4900 Fuel Transport truck, equipment number 913036 to Tim's Truck and Equipment in the amount of \$66,500, sold at public auction on June 8, 2004 - Revenue: \$92,500
13. Authorize a thirty-six-month service contract for removal and hauling of excavated materials with the lowest responsible bidder of two - Herdez Trucking, Inc. - Not to exceed \$5,313,300 - Financing: 2003 Certificates of Obligation (\$3,287,500), Water Utilities Current Funds (\$1,576,300), Current Funds (\$449,500)
14. Authorize a thirty-six-month service contract to **(1)** investigate and provide solutions for increasing billable revenues for Dallas Water Utilities and **(2)** repair and replace defective water meters with the only proposer - Utility Revenue Management Company, Inc. - Estimated Annual Net Revenue: \$940,000

MISCELLANEOUS

15. An ordinance amending Chapter 13 of the Dallas City Code to require all associate and full-time municipal judges including the administrative municipal judge, to reside in the City of Dallas - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

16. Authorize Supplemental Agreement No. 3 to the professional services contract with The Carter Law Firm, P.C., to provide additional legal services in the lawsuits styled James F. Hill, et al. v. City of Dallas, Cause No. 95-00975-J, Albert, et al. v. City of Dallas, Cause No. 199-697-94, Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99, Barber, et al. v. City of Dallas, Cause No. 199-624-95, Willis, et al. v. City of Dallas, Cause No. 199-200-95, Martin, et al. v. City of Dallas, Cause No. 1-95-506 and Saucedo-Falls, et al. v. City of Dallas, Cause No. 1-02-780 and any other proceedings relating to the subject matter of these lawsuits - Not to exceed \$200,000, from \$520,000 to \$720,000 - Financing: Current Funds
17. Authorize a professional services contract with the law firm of Joe C. Tooley, Attorneys and Counselors ("law firm") that will **(1)** consolidate four professional services contracts with the law firm totaling \$95,000, involving the following lawsuits: Jacinto Jesus Mejia v. City of Dallas, et al., Civil Action No. 3:03-CV-0352-L; Escamilla v. City of Dallas, et al., Civil Action No. 3:03-CV-0848-K; Betty Jenkins v. City of Dallas, et al., Civil Action No. 3:03-CV-0649-K; and George Sifuentez v. City of Dallas, et al., Civil Action No. 3:03-CV-0961-K, **(2)** authorize the law firm to represent the City of Dallas in two additional lawsuits styled Chavez et al. v. City of Dallas, et al., Civil Action No. 3:04-CV-0510-K and Pineda v. City of Dallas, et al., Civil Action No. 3:03-CV-0071-D and any other proceedings related to the subject matter of these lawsuits and **(3)** increase the professional services contract amount with the law firm for additional legal services related to the subject matter of these lawsuits - Total not to exceed \$155,000, from \$95,000 to \$250,000 - Financing: Current Funds
18. Authorize Supplemental Agreement No. 2 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 \$12,000, from \$132,250 to \$144,250 - Financing: Current Funds
19. Authorize settlement of the lawsuit styled William Bates, Jr. v. Edward Lewis Parker, Officer, Dallas Police Department, Badge #7566, and Henry Blaine Dickens, Dallas Police Department, Badge #7285, Case No. 3:00-CV-1918-P - \$37,500 - Financing: Current Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

20. Authorize settlement of a claim involving former City employee Towana Jones - \$8,500 - Financing: Current Funds
21. Authorize **(1)** the rejection of a counter-proposal from Downtown Renaissance, LP, for a no-interest loan for the construction of the Davis Lot Garage which was conditionally approved by the City Council on October 22, 2003; **(2)** withdrawal of such conditional approval of the loan by the City Council on October 22, 2003, by Resolution No. 03-2886; and **(3)** City staff to release a Request for Proposal for a public parking facility in the downtown core area - Financing: No cost consideration to the City
22. An ordinance authorizing a correction to Ordinance No. 22278 for Planned Development District No. 114 for Retail, Hotel, Office, Multiple Family, and Entertainment and Recreational Uses as codified as Article 114 of Chapter 51P of the Dallas Development Code, on the northeast corner of Belt Line Road and Prestonwood Boulevard to correct the list of permitted uses Z956-127/196-N - Financing: No cost consideration to the City
23. Authorize the acceptance of grant funds from the Texas Department of Health for the enhancement of the City of Dallas Childhood Lead Poisoning Prevention Program for the period July 1, 2004 through June 30, 2005 and execution of the grant agreement - Not to exceed \$60,000 - Financing: Texas Department of Health Grant Funds
24. Authorize the acceptance of the Dallas Ten-Year Plan to End Chronic Homelessness - Financing: No cost consideration to the City
25. An ordinance establishing maximum rates to be charged by Comcast of Dallas, L.P., dba Comcast, for basic service tier and installation and equipment - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

26. Authorize the appointment of Steve Greimann of the Lutheran High School of Dallas, or his designee, as the designated hearing officer for the purpose of publishing a notice of public hearing and holding such hearing, and authorizing the Mayor to approve, following such hearing, the issuance of bonds by the Health and Educational Facilities Authority of the State of Missouri for the benefit of the Lutheran Secondary Association of Dallas, Inc. - Financing: No cost consideration to the City
27. Authorize the issuance of tax-exempt financing by the City of Ames Higher Education Facilities Corporation in an amount not to exceed \$10,000,000 for the benefit of The Episcopal School of Dallas, Inc. - Financing: No cost consideration to the City
28. Authorize approval of the master plan for the Trinity Interpretive Center, Trinity Equestrian Center and Trails - Financing: This action has no cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT

29. A City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 311 for an Institution of a Charitable Nature and Specific Use Permit No. 1502 for private streets with consideration of an amendment to, and an expansion of, Specific Use Permit No. 1502 for private streets and the termination of SUP No. 311 for an Institution of a Charitable Nature on the northeast corner of Grove Hill Road and Forney Road and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions and approval of the termination of SUP No. 311 for an Institution of a Charitable Nature
Z034-233 (WE)

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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

30. A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, with consideration of amendments to development standards and permitted uses in an area generally bounded by Continental Avenue to the south, Stemmons Freeway to the east, the old Trinity meanders to the north, Wycliff Avenue to the west and the Trinity River levee to the southwest and an ordinance adopting the proposed amendments
Recommendation of Staff and CPC: Approval of an amendment to Planned Development District No. 621
Z034-103 (DC)

31. An application for and an ordinance granting a Specific Use Permit for a Government Installation other than listed for an Animal Shelter with outside runs on property zoned an IR Industrial Research District located on the northeast corner of IH 30 and Westmoreland Road
Recommendation of Staff and CPC: Approval, for a twenty-year period with provisions for automatic renewal for additional twenty-year periods, subject to a site plan, landscape plan and conditions
Z034-228(RB)

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

32. An application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school use; a Private Recreation Center, Club or Area; and R-7.5(A) Single Family District uses on property zoned Planned Development No. 341, located on the northwest corner of Mary Cliff Boulevard and Stevens Forest Drive
Recommendation of Staff and CPC: Approval, subject to a development plan for Subarea I, conceptual plan and conditions
Z034-236 (MJF)

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

33. Authorize **(1)** moving expense and replacement housing payments (RHP) for three homeowners in the Cadillac Heights neighborhood and use of the Mortgage Assistance Program money to fund part of the RHP for one homeowner as a result of official written offers of just compensation to purchase real property; **(2)** an amendment to Resolution No. 03-3321 previously approved on December 8, 2003, to increase the offer amount for 2415 Cadillac Drive in the amount of \$1,000, from \$50,000 to \$51,000, and 2426 Cadillac Drive in the amount of \$2,000, from \$53,000 to \$55,000, for the new Dallas Police Academy site; and **(3)** the establishment of appropriations in the amount of \$97,950 in the Police Facilities Fund (list attached) - Total not to exceed \$111,450 - Financing: Aviation Capital Construction Funds (to be reimbursed from future 2004 General Obligation Bond Funds) (\$97,950) and Multi-Family Housing Funds (\$13,500)
34. Authorize **(1)** a professional services contract with Gresham Smith and Partners for engineering and architectural consultant services for the Terminal Area Redevelopment Program Study at Dallas Love Field in an amount not to exceed \$912,000, and **(2)** the establishment of appropriations in an amount not to exceed \$912,000 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Total not to exceed \$912,000 - Financing: Aviation Capital Construction Funds (\$228,000), Federal Aviation Administration Airport Improvement Program Grant Funds (\$684,000)
35. Authorize a professional services contract with Fregonese Calthorpe Associates to prepare a Comprehensive Land Use Plan for the City of Dallas - \$1,420,000 - Financing: Current Funds (\$568,000), Building Inspection Current Funds (\$852,000) (subject to annual appropriations)
36. An ordinance amending Chapter 34 of the Dallas City Code, to provide for the retrieval of continuous full-time service by persons previously employed by the City for at least 10 years who are reappointed within 25 years after terminating the previous City employment - Financing: No cost consideration to the City

**ADDENDUM
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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

37. Authorize **(1)** the necessary agreement documents to allow property owners in the Sports Arena Tax Increment Financing District the option to fulfill their affordable housing obligation by **(a)** paying the City \$10,346 per affordable housing unit, with a 3% annual escalator, through June 23, 2009, in exchange for releasing the owners from the requirement to provide the affordable units on site or **(b)** following the Sports Arena TIF District affordability criteria and **(2)** appropriation of payment received, if any, from the first two multi-family projects proposed for construction with 35 affordable units in the F block of the Sports Arena TIF District for the Dallas Urban Land Bank Demonstration Program - Estimated Revenue: \$362,103
38. A resolution implementing a moratorium on the issuance of building permits and certificates of occupancy for West Northwest Highway, from I-35E to Mixon Drive (Councilmembers Salazar, Chaney, Rasansky, Finkelman, and Blaydes via Mayor Miller)
39. A resolution imposing a moratorium on building permits and certificates of occupancy on property bounded by Walnut Hill Lane on the north, Central Expressway on the west, Northwest Highway on the south, and lots fronting on the west and east side of Greenville Avenue on the east (Mayor Miller)
40. Authorize an Interlocal Agreement with the Dallas Independent School District for joint redevelopment, operation and maintenance of the Fair Oaks Park athletic complex located at 7600 Fair Oaks - Financing: This action has no cost consideration to the City
41. Authorize the rejection of bids for historical restoration of the facade of 1530 Main Street (Dallas National Bank) and the re-advertisement for new bids - Financing: No cost consideration to the City
42. Authorize **(1)** the implementation of a solid waste demonstration program for the purpose of testing a proposed residential service of once per week garbage collection and single stream recycling, **(2)** temporary service changes for areas included in the program as established for the purpose of the demonstration, and **(3)** an increase in appropriations in the amount of \$150,000 in Sanitation Services' departmental budget - Total not to exceed \$150,000 - Financing: Contingency Reserve Funds

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

43. Authorize the implementation of a temporary rain and freeze sensor rebate program to encourage the reduction of water waste during rain and freeze events and to enforce water conservation initiatives previously approved by Ordinance No. 24745 on September 26, 2001 - Not to exceed \$25,000 - Financing: Water Utilities Current Funds
44. Authorize a grant agreement with Davis Building Master Tenant LLP pursuant to the City of Dallas Main Street District Initiative Chapter 380 Loan and Grant Program for tenant improvements in the amount of \$200,000 and rent subsidy for twenty-four months in the amount \$200,000 for Kül Creative LLC dba Kül Design Studios - Total not to exceed \$400,000 - Financing: Public/Private Partnership Funds

CORRECTION:

57. Authorize a twenty-four-month service contract, with one twelve-month renewal option, for title and loan closing services for the City's Home Repair Program with five proposers - All America Title Services, Inc., Luis A. Galindo, PLLC, Fee Office for North American Title, Metroplex Title, Inc., Fidelity National Title, and Best Title Services Corporation - Not to exceed \$248,000 - Financing: ~~2004-05~~ 2003-04 Community Development Grant Funds

DELETION:

93. An application for an expansion of Planned Development District No. 498, the Harry Hines Corridor Special Purpose District, on property zoned an IR Industrial Research District on the west line of Anaheim Drive, south of Forest Lane and the termination of a portion of Specific Use Permit No. 97 for an Airport that encompasses the site
Recommendation of Staff and CPC: Denial
Z034-207 (RB)

**Cadillac Heights Neighborhood
Relocation Assistance
Addendum Item #33**

<u>Owner</u>	<u>Property Address</u>	<u>Moving Expense</u>	<u>Replacement Housing Payment</u>	<u>Council District</u>
*Mims, Melvin & Delois Mims	2426 Cadillac Drive	\$1,250	\$37,000	2
Sauceda, Jaimes & Iokapeta Sauceda	817 Packard Street	\$1,250	\$35,900	2
Blanco, Mirian V	2623 Roberta Street	\$1,150	\$31,900	2

* Funding for replacement housing payment includes Mortgage Assistance Program grant of \$13,500