

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 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.)

- Legal issues related to pending matters involving Comcast Cable of Dallas, Inc. and the City at the Federal Communications Commission, including appeals, pending request for full Commission review, surrendering regulatory authority and other legal issues related to Comcast's franchise performance and rates
- Legal issues relating to claims on performance bonds issued by Hanover Insurance on Western Integrated Networks cable TV franchise
- Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Jacinto Jesus Mejia v. City of Dallas, Cause No. 3:03-CV-0352-K
- Lorenzo Escamilla v. City of Dallas, et al., Cause No. 3:03-CV-0848-K
- Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K
- George Sifuentez v. City of Dallas, et al., Cause No. 3:03-CV-0961-K
- Yvonne Gywn v. Mark DeLaPaz, et al., Cause No. 3:03-CV-2121-K
- Everett & Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K
- Chavez, et al v. DeLaPaz, et al., Cause No. 3:04-CV-0510-K
- Pineda v. City of Dallas, et al., Cause No. 3:04-CV-0071-K
- Mercado Azteca, L.L.C. v. City of Dallas and Center Funding, Inc., Cause No. 3:03-CV-1145-P
- Russell Wyman v. City of Dallas and Raj Sharma, Cause No. 3:02-CV-2496-D
- United States of America v. Dynamic Cable Construction Company, Inc., a/k/a Dynamic Cable Holdings, Inc., Reata Construction Corp., City of Dallas, Cause No. 3:03-CV-1981-R

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ADDITIONS: (Continued)

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize a contract for Phase 6A of the construction of heating, ventilation, and air conditioning upgrades to the main terminal passenger screening area, architectural finish upgrades to the passenger bridge leading to the West Concourse and electrical service to power the heating, ventilation, and air conditioning upgrades and future baggage claim renovation at Dallas Love Field with Azteca Enterprises, Inc., lowest responsible bidder of four, in an amount not to exceed \$3,820,312 - Financing: Aviation Capital Construction Funds (\$2,348,912), Federal Aviation Administration Airport Improvement Program Grant Funds (\$1,471,400)

2. Authorize **(1)** a contract for historic facade rehabilitation related to the redevelopment of the Gulf States Building at 1415 Main Street with Key Construction, Inc., lowest responsible bidder of four, in an amount not to exceed \$3,213,000, **(2)** assignment of the contract to G. S. Murray Development for construction management, and **(3)** payment to G. S. Murray Development in an amount not to exceed \$375,360 for design, reimbursables and construction management - Total not to exceed \$3,588,360 - Financing: City Center TIF District Funds

Contract Amendments

3. Authorize **(1)** Supplemental Agreement No. 1 to the contract with Edward Just Associates for the Love Field Kennel, Office and Training Compound to provide additional construction administration services and increase reimbursables in an amount not to exceed \$7,400, from \$15,000 to \$22,400, and **(2)** an increase in appropriations in an amount not to exceed \$7,400 in the Aviation Airport Improvement Grant Funds - Financing: Aviation Capital Construction Funds (\$1,850), Federal Aviation Administration Airport Improvement Program Grant Funds (\$5,550)

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous

4. Authorize final payment on the contract with Texas Standard Construction, Inc. for Asphaltic Concrete Resurfacing Group 4 (list attached) - \$92,753 - Financing: 1998 Bond Funds
5. Authorize an agreement with the Union Pacific Railroad Company for the construction of the railroad crossing improvements at the railroad crossing that intersects Linfield Road approximately 86 feet west of Carbondale Street - \$357,334 - Financing: 1998 Bond Funds

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

6. A resolution confirming the sale of one 1993 John Deere 670B maintainer, equipment number 939018, sold at public auction on October 27, 2004, to Tommy Patrick Clark - Revenue: \$23,000
7. Authorize the first twelve-month renewal option to the service contract with Med Alert Industrial Health to perform medical examinations for pre-placement, driver safety, disability review purposes, drug and alcohol testing and other necessary medical testing services - Financing: No additional cost consideration to the City
8. Authorize renewal of the Interlocal Agreement with Dallas County, acting through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis and other similar medical/forensic analytical services, provided to the Dallas Police and Fire Departments, for the period of November 1, 2004 through October 31, 2005 - \$2,044,809 - Financing: Current Funds

MISCELLANEOUS

9. An ordinance amending Chapter 41A of the Dallas City Code to reduce the annual fee for a sexually oriented business license from \$4,800 to \$1,400 - Estimated Annual Revenue Loss: (\$130,000)

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

10. Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Vought Aircraft Industries, Inc. located at 9314 W. Jefferson Boulevard to receive designation as a double Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City
11. Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Dallas Airmotive, Inc. located in City of Dallas Enterprise Zone One at 6114 Forest Park Road to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City
12. Authorize an amendment to Resolution No. 04-0800, previously approved on February 25, 2004, as amended, for the funding of environmental remediation, demolition, facade restoration, a fire access corridor, streetscape improvements, and other authorized improvements related to the redevelopment of 1530 Main Street so that TIF funding contingencies for the two buildings being developed as the Eureka Hotel (1530 and 1524 Main Street) are consistent - Financing: No cost consideration to the City
13. Authorize a second modification, renewal and extension to the agreement with South Dallas Fair Park Inncity Community Development Corporation to **(1)** increase the loan from \$323,483 to \$506,783 to provide funding for infrastructure improvement; **(2)** extend the loan maturity date to November 30, 2007; and **(3)** reduce the required number of homes to be constructed from 23 to 19 single-family homes at 3500 Meadow Street - Not to exceed \$183,300 - Financing: 2003-04 HOME Funds
14. Authorize the acceptance of a \$100,064 promissory note payable to the City from South Dallas Fair Park Inncity Community Development Corporation (ICDC) in exchange for the release of liens on the properties acquired, rehabilitated and sold with the \$400,000 Revolving Loan Fund loan to ICDC for ten scattered-site single-family homes (list attached) - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

15. Authorize **(1)** a public hearing to be held on December 8, 2004 to receive citizens' comments on an amended proposal from South Dallas Fair Park Inncity Community Development Corporation, a qualified non-profit organization, to consider a change in the end use and time extension to meet the end use for the development of the unimproved property located at 2806 Troy obtained through the House Bill 110 process, and **(2)** at the close of the hearing, consideration of acceptance of the amended proposal - Financing: No cost consideration to the City
16. Authorize the acceptance of amended proposals from South Dallas Fair Park Inncity Community Development Corporation for the development of 18 unimproved properties obtained through the House Bill 110 process, and authorize a time extension for the development and execution of correction deeds and amended deed restrictions (list attached) - Financing: No cost consideration to the City
17. Authorize a contract with Hamilton Davis L.L.P. for the sale of the Intown Housing Section 108 loan for the Davis Building located at 1309 Main Street - Estimated Revenue: \$4,409,994 (60% of the loan value at closing)
18. Authorize an economic development grant agreement with the Central Dallas Community Development Corporation to fund pre-development costs for the Hall Street Project, a three-story apartment development with ground floor retail for the period of November 10, 2004 through November 10, 2006 - Not to exceed \$30,000 - Financing: Enterprise Community Grant Funds
19. An ordinance amending Section 2-17.2 of Chapter 2, "Administration," of the Dallas City Code, as amended; revising the size and composition of the City Auditor Nominating Commission; revising time limits relating to the selection of a City Auditor; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

DEVELOPMENT CODE AMENDMENTS

20. Consideration of an amendment to the Dallas Development Code regarding the creation of a building site and an ordinance implementing the changes
Recommendation of Staff and CPC: Approval
DCA 045-001

ITEMS FOR INDIVIDUAL CONSIDERATION

21. Appointment of a member to the Dallas/Fort Worth International Airport Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)
22. A resolution **(1)** formalizing the City Council's expressions of remorse regarding breakdowns in the City's war on drugs; **(2)** directing the Interim City Manager to work with the Police Chief to determine how a system designed to fight a war on drugs was subverted; **(3)** creating an Implementation Committee to see that the recommendations of the Independent Investigative Panel are pursued; **(4)** directing the Interim City Manager to coordinate staff efforts and ensure the recommendations of the Independent Investigative Panel, as well as those revealed by the work of the Interim City Manager and Police Chief, are implemented as soon as possible; and **(5)** directing the City Attorney to enter into good faith negotiations with those wrongfully arrested and to present a recommendation of fair compensation for each such person - Financing: No cost consideration to the City
23. Authorize **(1)** extending the operational hours of the Day Resource Center located at 901 South Ervay to twenty-four hours, seven days a week for the period December 1, 2004 through September 30, 2005, and; **(2)** an increase in appropriations in the amount of \$292,000 in the Environmental and Health Services budget - Not to exceed \$292,000 - Financing: Contingency Reserve Funds

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

24. Authorize **(1)** the Dallas Housing Finance Corporation to issue tax-exempt mortgage revenue bonds in an amount not to exceed \$15,000,000 and taxable bonds in an amount not to exceed \$500,000 for the benefit of TX Simpson Villas Housing, L.P. for the new construction of up to 250 multifamily units for families, to be known as the Simpson Villas Apartments, located at 3200 Simpson Stuart Road; and, **(2)** support for the Texas Department of Housing Community Affairs to issue 4% tax credits to support development of the project - Financing: No cost consideration to the City
Recommendation of Staff: Denial
25. Authorize **(1)** a twelve-month price agreement for automobiles, light trucks, vans and utility trucks with the lowest responsible bidders of seventeen - B & C Body Company Division of East Texas Mack Sales, L.P. in the amount of \$104,136, Baby Jack Ford Automotive LTD in the amount of \$82,799, Ft. Worth Freightliner in the amount of \$286,378, Friendly Chevrolet LTD in the amount of \$8,147,165, Gunn Chevrolet in the amount of \$118,852, Gunn Dodge LTD in the amount of \$159,227, Industrial Disposal Supply Co. in the amount of \$254,520, Sonic-Lute Riley, L.P. dba Lute Riley Honda in the amount of \$87,848, Masters International Trucks Inc. in the amount of \$516,740, Metro Ford Truck Sales, Inc. in the amount of \$737,505, Baby Jack II Automotive LTD, Inc. in the amount of \$17,837, Sam Pack's Five Star Ford of Carrollton in the amount of \$1,390,860, Southwest International Trucks, Inc. in the amount of \$150,993, Westway Ford in the amount of \$462,874, Dallas Peterbilt L.P. in the amount of \$2,259,525 and; **(2)** an increase in appropriations in an amount not to exceed \$700,000 in the 2004 Equipment Acquisition Contractual Obligation Notes - Total not to exceed \$14,777,260 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$13,803,821), 2003 Equipment Acquisition Contractual Obligation Notes (\$304,740), Building Inspection Current Funds (\$340,976), Current Funds (\$284,450), Texas Commission on Environmental Quality Grant Funds (\$43,273)
26. Authorize a contract with CGI-AMS, Inc. (formerly known as American Management Systems, Inc.) for the implementation of a software upgrade to the City's financial and accounting system - Not to exceed \$2,937,225 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$2,896,625), Current Funds (\$40,600)

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

27. A resolution pledging the City of Dallas commitment to fund \$140,000,000 of the \$160,000,000 additional cost for Dallas Area Rapid Transit (DART) to provide light rail transit service to Love Field through City sources, Regional Transportation Council funds and Dallas County Major Capital Improvement Program funds, and limiting DART's funding contribution to \$20,000,000 of the \$160,000,000 additional cost - Financing: This action has no cost consideration to the City

Asphaltic Concrete Street Resurfacing Group 4
Addendum Item #4

<u>Project</u>	<u>From</u>	<u>To</u>	<u>Limits</u>	<u>Council District</u>
Jefferson Blvd.	200	---	Zang Blvd. to Madison Ave.	1
Easton Road	800	1100	Lippitt Ave. to Garland Rd.	9
Garland Road	8100	9400	Buckner Blvd. to San Rafael Dr.	9
Coit Road	13800	14000	Brookgreen Dr. to Spring Valley Road	11
Preston Rd.	10800	11100	Royal Ln. to Elderwood Dr.	11,13
Preston Rd.	8500	9600	Northwest Hwy. to Walnut Hill Ln.	13
Preston Rd.	9700	10700	Walnut Hill Ln. to Royal Ln.	13

Release of Liens on Properties
Addendum Item #14

<u>Parcel No.</u>	<u>Address</u>	<u>Council District</u>
1.	3618 Atlanta	7
2.	2611 Burger	7
3.	2619 Burger	7
4.	2638 Exline	7
5.	3615 Jamaica	7
6.	3702 Jamaica	7
7.	2301 Romine	7
8.	3315 Spring	7
9.	2634 Warren	7
10.	3034 Warren	7

**South Dallas Fair Park Inncity Community
Development Corporation**
Addendum Item #16

<u>Parcel No.</u>	<u>Property</u>	<u>Council District</u>
1.	3307 Garden	7
2.	3132 Harmon	7
3.	2424 Peabody	7
4.	2612 Southland	7
5.	2524 Pennsylvania	7
6.	2609 Pennsylvania	7
7.	3726 Atlanta	7
8.	3730 Atlanta	7
9.	3116 Peabody	7
10.	2404 Pennsylvania	7
11.	2310 Stoneman	7
12.	3122 Peabody	7
13.	4515 Leland	7
14.	3137 Harmon	7
15.	2424 Birmingham	7
16.	2625 Peabody	7
17.	2627 Peabody	7
18.	2400 Pennsylvania	7