

AGENDA
CITY COUNCIL MEETING
JANUARY 28, 2004
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) [04-0400]

Agenda Item/Open Microphone Speakers [04-0401]

VOTING AGENDA

1. Approval of Minutes of the January 14, 2004 City Council Meeting [04-0402;
APPROVED AS CORRECTED]

CONSENT AGENDA [04-0403]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Jones & Boyd, Inc. to provide design services for a soccer field and parking lot improvements at Jaycee/Zaragoza Park - \$17,755 - Financing: 2001-02 Urban Development Action Grant Funds (\$16,136) and 2002-03 Urban Development Action Grant Funds (\$1,619) [04-0404; **APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Oglesby/Greene Architects, Inc. to provide design development, preparation of construction bid documents, bid evaluation and construction administration for the West Love Field Branch Library located at 2146 Gilford Street - \$249,691 - Financing: 2003 Bond Funds **[04-0405; APPROVED]**

Authorization of Contracts

4. Authorize (1) a contract for the installation of walkway pavers, fountain, stone plaza, trees, landscaping, electrical, plumbing and other miscellaneous items at the corner of Woodside Street and Clark Street, Phase IV-C, in Tax Increment Financing Reinvestment Zone Number One, City of Dallas (State-Thomas TIF District) with Texas Standard Construction, LTD., lowest responsible bidder of four in an amount not to exceed \$217,039, (2) assignment of the construction contract to Post Properties, Inc. for construction administration, and (3) payment to Post Properties, Inc. in an amount not to exceed \$26,000 for design and construction administration - Total not to exceed \$243,039 - Financing: Private Funds (advance from Post Properties, Inc. to the State-Thomas TIF District Fund) **[04-0406; APPROVED]**
5. Authorize (1) a contract for construction of the Bachman Water Treatment Plant ozone facilities and chemical feed system improvements; and, (2) a decrease in appropriations in the amount of (\$40,963,000) in the Capital Construction Fund; and, (3) the establishment of appropriations in the amount of \$40,963,000 in the Water System Improvement Fund (\$28,154,626) and Wastewater System Improvement Fund (\$12,808,374) - Archer-Western Contractors, Ltd., lowest responsible bidder of two - \$22,755,000 - Financing: Water Utilities Bond Funds **[04-0407; APPROVED]**

Contract Amendments

6. Authorize Supplemental Agreement No. 1 to the contract with Oglesby Greene Architects to provide schematic design, construction documents, bid phase, construction administration and Americans with Disabilities Act plan review and inspection for the interactive bird exhibit at the Dallas Zoo - \$45,700, from \$14,990 to \$60,690 - Financing: 1998 Bond Funds **[04-0408; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

Sylvan Avenue Bridge over the Trinity River

Note: Item Nos. 7 and 8 must be considered collectively.

7. * Authorize Supplemental Agreement No. 2 to the contract with HNTB Corporation to provide additional professional services for schematics and environmental documentation necessary for the design of paving, drainage, and bridge replacement improvements to the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - \$546,127, from \$923,501 to \$1,469,628 - Financing: 2003 Bond Funds **[04-0409; APPROVED]**
8. * Authorize an Interlocal Agreement with the Texas Department of Transportation for engineering review of the design and construction of the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - \$12,500 - Financing: 2003 Bond Funds **[04-0410; APPROVED]**
9. Authorize an increase in the contract with Archer-Western Contractors, Ltd. for anaerobic digester rehabilitation at the Southside Wastewater Treatment Plant - \$574,728, from \$7,193,136 to \$7,767,864 - Financing: Water Utilities Capital Construction Funds **[04-0411; APPROVED]**
10. Authorize an increase in the contract with Archer-Western Contractors, Ltd. for work associated with the Central Wastewater Treatment Solids Transfer Pump Station and force main - \$75,016, from \$4,532,000 to \$4,607,016 - Financing: Water Utilities Bond Funds **[04-0412; APPROVED]**
11. Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc., for odor control and ventilation system improvements at the Southside Wastewater Treatment Plant - \$566,348, from \$1,494,669 to \$2,061,017 - Financing: Water Utilities Capital Improvement Funds **[04-0413; APPROVED]**
12. Authorize Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews and Newnam, Inc. to decrease the contract amount for equipment modifications to the solids screening and thickening facility at the Southside Wastewater Treatment Plant - (\$82,655), from \$1,530,209 to \$1,447,554 - Financing: Water Utilities Capital Improvement Funds **[04-0414; APPROVED]**

Construction Miscellaneous

13. 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 **[04-0415; DELETED ON THE ADDENDUM]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

14. Authorize an Interlocal Agreement with the Texas Department of Transportation for the construction of a concrete traffic safety barrier and a porous asphalt driving surface on IH 30 from Beckley Avenue to Sylvan Avenue - \$485,000 - Financing: 1998 Bond Funds (\$385,750), 2003 Bond Funds (\$99,250) **[04-0416; APPROVED]**

LAND ACQUISITION

15. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a street easement containing approximately 1,467 square feet, 5 drainage easements containing a total of approximately 9,000 square feet and 5 temporary construction easements containing a total of approximately 8,775 square feet for Tatum and Tillery Avenues paving and drainage improvements located near the intersection of Tatum Avenue and Goodman Street (list attached) - \$13,683 - Financing: 1998 Bond Funds **[04-0417; APPROVED]**
16. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a drainage easement containing approximately 8,596 square feet of land located near the intersection of Westmoreland Avenue and Interstate Highway 30 from Commercial Metals Company for the Westmoreland Road reconstruction project - \$10,745 - Financing: 1998 Bond Funds **[04-0418; APPROVED]**
17. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 4 tracts of land containing a total of approximately 22,383 square feet located on Singleton Boulevard between Bataan Street and Vilbig Road for Singleton Boulevard improvement project (list attached) - \$87,825 - Financing: 1995 Bond Funds **[04-0419; APPROVED]**

LAND MISCELLANEOUS

18. Authorize conveyance to the State of Texas of approximately 3 acres of land located at the intersection of Hampton Road and Interstate Highway 30 for its Interstate Highway 30 improvements project - Revenue: \$238,271 **[04-0420; APPROVED]**
19. An ordinance abandoning a subsurface portion of Main Street right-of-way to Dallas County Community College District, the abutting owner, containing approximately 276 square feet of land located near its intersection with Market Street, and authorizing the quitclaim - Revenue: \$5,796 plus the \$20 ordinance publication fee **[04-0421; ORDINANCE 25479; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

20. Authorize a thirty-six-month price agreement for music compact discs for the Dallas Public Library with the lowest responsible bidder of three - Baker and Taylor Information and Entertainment Services - Not to exceed \$269,265 - Financing: Current Funds **[04-0422; APPROVED]**
21. Authorize a thirty-six-month price agreement for International and Chrysler heavy duty truck parts and labor with the lowest responsible bidders of three - Southwest International Trucks, Inc. and Smith Chrysler Dodge - Not to exceed \$1,962,500 - Financing: Current Funds **[04-0423; APPROVED]**
22. Authorize a thirty-six-month price agreement for tires for Dallas Fire Department emergency response vehicles with the lowest responsible bidder of two - Tire Centers, LLC - Not to exceed \$459,118 - Financing: Current Funds **[04-0424; APPROVED]**
23. Authorize the exchange of existing Sigarms, Glock, and Beretta handguns for the purchase of new model Sigarms handguns with the lowest responsible bidder of two - Sigarms, Inc. - Not to exceed \$113,900 - Financing: Current Funds **[04-0425; APPROVED]**
24. Authorize a contract for software, hardware, and maintenance upgrade to the Dallas Water Utilities existing payment collection centers - System Innovators, Inc. - Sole Source - Not to exceed \$351,302 - Financing: Water Utilities Capital Improvement Funds (\$265,743) and Building Inspection Current Funds (\$85,559) **[04-0426; APPROVED AS AN INDIVIDUAL ITEM]**

MISCELLANEOUS

25. Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowner, Maggie Perkins Hornage, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 1999-00 Community Development Grant Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$32,500) **[04-0427; APPROVED]**
26. Authorize an increase in the replacement housing payment for homeowner, Modesta Gonzales, due to the inability to find a decent, safe and sanitary replacement house for the \$55,000 replacement housing payment previously authorized by Resolution No. 03-2305 on August 27, 2003 - Not to exceed \$12,500, from \$55,000 to \$67,500 - Financing: 2003-04 Community Development Grant Funds **[04-0428; APPROVED]**
27. An ordinance granting a Specific Use Permit for a pedestrian skybridge on Motor Street and Amelia Court, southwest of Harry Hines Boulevard for a 40-year period subject to a site plan and conditions (Z023-135 RB) - Financing: No cost consideration to the City **[04-0429; ORDINANCE 25480; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 28 and 29 must be considered collectively.

Farmers Market TIF District

28. * Authorize an amendment to the development agreement with Camden Property Trust previously authorized on January 9, 2002 by Resolution No. 02-0102 to extend the deadline for completing public and private improvements from December 31, 2004 to December 31, 2005 for Parcel One and from October 31, 2006 to October 31, 2008 for Parcel Two and related changes for Camden Farmers Market Project (Phase IB) located in the block bounded by Central Expressway, Marilla Street, Farmers Market Way, Taylor Street, Good Latimer Expressway and the southern boundary of Camden Property Trust's property in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District) - Financing: No cost consideration to the City **[04-0430; APPROVED]**
29. * Authorize an amendment to the development agreement with Camden Realty, Inc. previously authorized on June 14, 2000 by Resolution No. 00-1870 to extend the deadline for completing public and private improvements from December 31, 2002 to December 31, 2006 and related changes for the Townhomes Project, Phase IIA (Phase II, 38 units) located along Canton Street and South Central Expressway in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District) - Financing: No cost consideration to the City **[04-0431; APPROVED]**
30. Authorize hardship relief for property located at 1050 N. Westmoreland Road #130 from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0432; APPROVED]**
31. Authorize hardship relief for property located at 2215 May Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0433; APPROVED]**
32. Authorize hardship relief for property located at 2217 May Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0434; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

33. Authorize hardship relief for property located at 2211 Sulphur Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0435; APPROVED]**
34. Authorize hardship relief for property located at 2204 May Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0436; APPROVED]**
35. Authorize hardship relief for property located at 1050 N. Westmoreland Road #126 from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0437; APPROVED]**
36. Authorize hardship relief for property located at 2123 W. Colorado Boulevard from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-0438; APPROVED]**
37. Authorize the acceptance of additional grant funds from the Texas Department of Health for an extension of the grant agreement and continuation of the City of Dallas Immunization Initiative Program from January 1, 2004 through December 31, 2004 - Not to exceed \$254,524 - Financing: Texas Department of Health Grant Funds **[04-0439; APPROVED]**
38. Authorize the acceptance of amended proposals from T. R. Hoover for the development of 14 unimproved properties obtained through HB110 process, and authorize time extension for the development, and execution of correction deeds and amended Deed Restrictions (list attached) - Financing: No cost consideration to the City **[04-0440; APPROVED]**
39. Authorize the acceptance of a transfer of funds in the amount of \$500,000 from the City Center TIF District Fund to the Affordable Housing Cost Participation Program - \$500,000 - Financing: City Center TIF District Funds **[04-0441; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

40. Authorize an aggregate payment in the amount of \$240,000 to the Dallas Housing Authority (DHA) in accordance with the Agreed Final Judgment entered August 12, 2003 in the lawsuit styled Walker, et al. v. United States Department of Housing and Urban Development, et al. to be used over a three-year period beginning August 12, 2003 and ending August 12, 2006 for the following purposes: (1) \$75,000 per year to be used by DHA to provide rental bonus payments to property owners leasing three and four bedroom units in non-minority concentrated areas to participants in the Section 8 Bonus Incentive program, and (2) \$5,000 per year to be used by DHA for monitoring market rent levels throughout the City and the Dallas Metropolitan area - \$240,000 - Financing: Current Funds **[04-0442; APPROVED]**
41. Authorize (1) the appointment of Pamela S. Kurtzman, Chief Financial Officer of the Jewish Federation of Greater Dallas, or her designee, as the designated hearing officer for the purpose of publishing a notice of public hearing and holding such hearing and (2) the Mayor to approve, following such hearing, the issuance of bonds not to exceed \$42,000,000 by the Colorado Educational and Cultural Facilities Authority for the benefit of the Dallas Jewish Community Foundation and its affiliated agencies - Financing: No cost consideration to the City **[04-0443; APPROVED]**
42. Authorize a one-year contract, with two one-year renewal options, with Travis Ranch Development, L.P. to provide untreated water from Lake Ray Hubbard - December 8, 2003 through December 7, 2004 (\$7,327); December 8, 2004 through December 7, 2006 (\$6,963 annually) - Total Estimated Revenue: \$21,253 **[04-0444; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT **[04-0445]**

43. A City Council authorized hearing to determine the proper zoning on property zoned Sub-district B for office, warehouse and retail uses within Planned Development No. 521 on property located north of Interstate-20 and east and west of Mountain Creek Parkway with consideration given to modifying parking, landscaping, sidewalk, signage and the industrial (inside) for light manufacturing use regulations for Sub-district B of Planned Development District No. 521 and an ordinance granting revisions to Sub-district B
Recommendation of Staff and CPC: Approval
Z023-196 (MJF) **[04-0446; ORDINANCE 25481; CPC RECOMMENDATION FOLLOWED]**
44. An application for and an ordinance granting a Specific Use Permit for a Private School on property zoned an MU-3 Mixed Use District located on the east side of Park Central Drive, north of Merit Drive and south of Churchill Way
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z034-108 (MJF) **[04-0447; ORDINANCE 25482; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

45. An application for and an ordinance granting a Planned Development District for a Public Library use on property zoned an MF-2(A) Multifamily District south of the intersection of Kiest Boulevard and Sunnyvale Street, north of Skylark Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-115 (MM) [04-0448; ORDINANCE 25483; CPC RECOMMENDATION FOLLOWED]
46. An application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northwest corner of the intersection of Toronto Street and Navarro Street, one block north of Singleton Boulevard
Recommendation of Staff and CPC: Approval
Z034-117 (MM) [04-0449; ORDINANCE 25484; CPC RECOMMENDATION FOLLOWED]
47. An application for and an ordinance granting an expansion of and an amendment to Planned Development District No. 456 for an adult day care facility, convalescent and nursing homes, hospice care, and related institutions and retirement housing on property zoned Planned Development District No. 456 and an R-10(A) Single Family District on the southwest corner of Skyline Drive and Shepard Road
Recommendation of Staff and CPC: Approval, subject to a conceptual/development plan and conditions
Z034-118 (WE) [04-0450; ORDINANCE 25485; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

48. An application for a Specific Use Permit for an alcoholic beverage establishment use to be used as a bar, lounge, or tavern and a commercial amusement (inside) use for a Class A dance hall on property zoned a CR Community Retail District located on the southeast corner of Greenville Avenue and Hudson Street
Recommendation of Staff: Approval for a two year period, subject to a site plan and conditions
Recommendation of CPC: Denial
Z034-113 (MM) [04-0451; DENIED WITHOUT PREJUDICE]

DEVELOPMENT CODE AMENDMENTS - CONSENT

49. Consideration of the establishment of certain standards to require industrialized housing to be compatible with existing housing as allowed by amended state legislation and an ordinance granting the amendment
Recommendation of Staff and CPC: Approval
DCA 023-007 (SR) [04-0452; ORDINANCE 25486; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT (Continued)

50. An application to amend the Dallas Development Code Section 51A-4.124(a)(9) requirements for commercial surface parking lots in a CA-1(A) Central Area District and an ordinance granting the amendment
Recommendation of Staff and CPC: Approval
DCA 023-018 [04-0453; ORDINANCE 25487; APPROVED AS AMENDED]

ITEMS FOR INDIVIDUAL CONSIDERATION

51. 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) [04-0454; APPOINTMENTS MADE TO BOARDS]

City Center TIF District

Note: Item Nos. 52, 53, and 54 must be considered collectively.

52. * Authorize (1) a development agreement with Barker Nichols, LLC to provide for the funding of facade, demolition, environmental remediation and other authorized improvements related to the redevelopment of the Interurban Building located at 1500 Jackson Street in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$5,000,000; and (2) the establishment of appropriations in the amount of \$5,000,000 in the City Center TIF District Fund - Total not to exceed \$5,000,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund) [04-0455; APPROVED]
53. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse Barker Nichols, LLC for funds advanced pursuant to a development agreement with Barker Nichols, LLC in an amount not to exceed \$5,000,000, plus interest, for facade improvements, demolition, environmental remediation and other authorized improvements related to the redevelopment of the Interurban Building located at 1500 Jackson Street in the City Center TIF District - Financing: No cost consideration to the City [04-0456; APPROVED]
54. * Authorize a real property tax abatement agreement with Barker Nichols, LLC for the purpose of granting a ten-year abatement of 90% of the taxes on new real property value resulting from the development of a grocery store and residential complex to be located within City of Dallas Enterprise Zone One at 1500 Jackson Street - Revenue: First year new real property tax revenue estimated at \$10,745 (Estimated revenue foregone for ten-year abatement is \$967,038) [04-0457; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

55. Authorize (1) the City of Dallas Urban Land Bank Demonstration Program and Program Statement; (2) the Dallas Housing Acquisition and Development Corporation to (a) amend its Articles of Incorporation and Bylaws to allow the Corporation to operate the City of Dallas Urban Land Bank Demonstration Program and (b) change the make up of its Board of Directors; (3) adoption of the Urban Land Bank Demonstration Program Plan; and (4) an Interlocal Cooperation Contract between the City of Dallas, Dallas County, Dallas Independent School District, Parkland Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District for the Urban Land Bank Demonstration Program - Financing: No cost consideration to the City **[04-0458; APPROVED]**
56. Authorize a professional services contract with Tuerff-Davis EnviroMedia, Inc. for the furtherance of the advertising campaign, promotion and media placement for reinforcement of water conservation initiatives - \$1,200,000 - Financing: Water Utilities Current Funds **[04-0459; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

57. 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.) **[04-0460; DELETED ON THE ADDENDUM]**
58. Authorize a Neighborhood Revitalization and Historic Preservation Program tax abatement for James Walker, owner of property located at 1924 Main Street (Estimated revenue foregone for a fifteen-year abatement is \$134,960) - Financing: No cost consideration to the City **[04-0461; REFERRED BACK TO THE LANDMARK COMMISSION]**

Closed Session **[04-0462; CLOSED SESSION HELD]**

Personnel Matters (Sec. 551.074 T.O.M.A.)

- 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 [04-0463; CLOSED SESSION HELD]

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

- Legal issues concerning utility and cable construction in public right-of-way
- Legal issues involving HIPAA - Health Insurance Portability and Accountability Act of 1996
- David Bell, Warren Gulley, Warryn Simon, and Luis Andrade v. City of Dallas, Cause No. 03-787
- Keith B. Burkins v. City of Dallas, et al., Cause No. 3:00-CV-2377-M
- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1662-H
- Thomas Wayne Williams v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1997-H
- VRC LLC v. City of Dallas, et al., Cause No. 3:03-CV-04420-G
- City of Dallas v. All State Auto Rent, Inc., Cause No. 02-09178

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize a decrease in the contract with Camino Construction, L.P. for the construction of storm drainage improvements on Swiss Avenue, Mill Creek Phase I - (\$75), from \$1,810,088 to \$1,810,013 - Financing: Water Utilities Bond Funds [04-0464; APPROVED]

MISCELLANEOUS

2. A resolution to authorize the dissolution of the City of Dallas Health Facilities Development Corporation, the Love Field Economic Development Corporation, the re-establishment of the City of Dallas Industrial Development Board as a stand-alone board, and revise the established City Council policy concerning the Consolidated Economic Development Boards - Financing: No cost consideration to the City [04-0465; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

3. Authorize the acceptance of a grant from the North Central Texas Council of Governments for a waste reduction/recycling educational program for White Rock Lake Park and execution of the grant agreement - \$29,820 - Financing: North Central Texas Council of Governments Grant Funds **[04-0466; APPROVED]**
4. Authorize Supplemental Agreement No. 2 to the License Agreement with the City of Inglewood, California for a 12-month extension for the continued operation of the parking management information system - \$401,450 - Financing: Current Funds **[04-0467; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Comcast Cable of Dallas, Inc.

5. * Continuation of a public hearing 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 **[04-0468; HEARING CLOSED]**
6. * An ordinance establishing maximum rates to be charged by Comcast Cable of Dallas, Inc., dba Comcast, for basic service tier and installation and equipment - Financing: No cost consideration to the City **[04-0468; ORDINANCE 25488; APPROVED AS AMENDED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

7. Authorize settlement of a lawsuit styled Elena Livingston v. City of Dallas and Diana Salinas v. State Farm Mutual Automobile Insurance Co., Cause No. cc-02 04701-e - \$25,000 - Financing: Current Funds **[04-0469; APPROVED]**
8. Authorize settlement of a lawsuit styled Judy Hauenstein, Individually and Michael Hauenstein, Individually v. William Edwin Martinez, Individually and City of Dallas, Cause No. DV02-09402-e - \$13,000 - Financing: Current Funds **[04-0470; APPROVED]**
9. Authorize a professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P., for legal services and related expenses necessary in the lawsuit styled Environmental Conservation Organization v. City of Dallas, No. 3-03-CV-2951M, and any other proceeding related to the subject matter of this lawsuit - Not to exceed \$215,000 - Financing: Current Funds **[04-0471; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

10. Authorize, solely for purposes of, and conditional on continuing, negotiation and settlement of existing restructured relationship with SBC, without prejudice to recoupment if negotiations break down, an increase in the contract with SBC Global Services, Inc. and Ameritech Credit Corporation d/b/a SBC Capital Services, for voice (dial tone) and data network services, telephone and data equipment, and cabling and maintenance - \$2,000,000, from \$33,818,912 to \$35,818,912 - Financing: Current Funds **[04-0472; APPROVED]**
11. Consideration of a letter or resolution supporting the efforts of members of Congress to legislatively enable the City to issue permits for wallscape signs that comply with the requirements of Section 51A-7.1306(f) of the Dallas Development Code - Financing: No cost consideration to the City **[04-0473; APPROVED]**
12. Authorize a personal services contract with R. Douglas Firestone to recruit candidates for the Director of Communication and Information Services position - Not to exceed \$25,000 - Financing: Current Funds **[04-0474; APPROVED]**

DELETIONS:

13. 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 **[04-0415]**
57. 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.) **[04-0460]**