

AGENDA
CITY COUNCIL MEETING
FEBRUARY 25, 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) [04-0726]

Agenda Item/Open Microphone Speakers [04-0727]

VOTING AGENDA

1. Approval of Minutes of the February 11, 2004 City Council Meeting [04-0728]

CONSENT AGENDA [04-0729]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Mitchell Enterprises, Ltd., for the design/build services at Northwest Service Center, Phase II, located at 9801 Harry Hines Boulevard - \$1,168,049 - Financing: 2003 Bond Funds [04-0730; **APPROVED**]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Hayden Consultants, Inc. to provide boundary and topographic survey, schematic design, design development, construction documents, bidding and construction administration at Alta Mesa Park located at 2905 Alta Mesa - \$18,915 - Financing: 2003 Bond Funds **[04-0731; APPROVED]**
4. Authorize a professional services contract with La Terra Studio, Inc. to provide topographic survey, conceptual/schematic design, design development, construction documents and Texas Department of Licensing and Regulation review process at Jones Playlot located at 1647 McManus and K.B. Polk Park located at 3800 Thedford - \$17,933 - Financing: 2003 Bond Funds **[04-0732; APPROVED]**
5. Authorize a professional services contract with Charles Gojer and Associates, Inc. to provide civil and structural design services for drainage improvements on Hampton/Inwood Road from Canada Drive to Harry Hines Boulevard - \$25,320 - Financing: 1995 Bond Funds **[04-0733; APPROVED]**
6. Authorize a professional services contract with Halff Associates, Inc. to provide engineering services for the design to replace water mains and rehabilitate or replace wastewater mains in various locations (list attached) - \$1,281,170 - Financing: Water Utilities Capital Improvement Funds **[04-0734; APPROVED]**

Authorization of Contracts

7. Authorize (1) a contract for paving, drainage and grading improvements including pedestrian bridges at Katy Trail, Phase II with Jeske Construction Company, lowest responsible bidder of five in the amount of \$1,953,891; and, (2) the establishment of appropriations in the amount of \$1,992,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$1,953,891 - Financing: 1998 Bond Funds (\$237,559) and Capital Projects Reimbursement Funds (\$1,716,332 to be reimbursed from the Statewide Transportation Enhancement Program of the Transportation Equity Act for the 21st Century) **[04-0735; APPROVED]**
8. Authorize (1) a contract for the construction of water and wastewater infrastructure, alley paving, and streetscaping for State-Thomas XIV, Sundance Row at State-Thomas bounded by the south side of Clark Street between Thomas Avenue and State Street in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) with V.A. Construction, Inc., lowest responsible bidder of three, in an amount not to exceed \$433,922, (2) assignment of the construction contract to J.G. Moore & Co., Inc. for construction administration, and (3) payment to J.G. Moore & Co., Inc. in an amount not to exceed \$263,000 for design, construction administration, street lighting, testing and utility burial - Total not to exceed \$696,922 - Financing: Private Funds (advance from J. G. Moore & Co., Inc. to the State-Thomas TIF District Fund) **[04-0736; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

9. Authorize a contract for the construction of peak flow basin expansion improvements at the Southside Wastewater Treatment Plant - Cajun Constructors, Inc., lowest responsible bidder of six - \$10,889,500 - Financing: Water Utilities Bond Funds **[04-0737; APPROVED]**
10. Authorize a contract for the relocation of existing wastewater mains at the McCommas Bluff Landfill - S. J. Louis Construction of Texas, Ltd., lowest responsible bidder of eight - \$4,963,073 - Financing: 2003 Bond Funds **[04-0738; APPROVED]**

Contract Amendments

11. Authorize an increase in the contract with GC Carter Construction Company, LLC to provide additional trail and drainage improvements at Emerald Lake Park located at 6102 Mountain Creek Parkway - \$34,911, from \$139,644 to \$174,555 - Financing: 1998 Bond Funds **[04-0739; APPROVED]**
12. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with the basin complex and clarifier and mechanical aeration basin at the Southside Wastewater Treatment Plant - \$654,706, from \$13,779,557 to \$14,434,263 - Financing: Water Utilities Bond Funds (\$603,115) and Water Utilities Capital Construction Funds (\$51,591) **[04-0740; APPROVED AS AN INDIVIDUAL ITEM]**

Construction Miscellaneous

13. Authorize (1) street paving, storm drainage, water and wastewater main improvements for Street Group 03-438 (list attached); provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on April 14, 2004, to receive citizens' comments - Financing: No cost consideration to the City **[04-0741; APPROVED]**

LAND ACQUISITION

14. Authorize deposit of a Special Commissioners' Award for acquisition from Bernice Sorrells Caesar of a tract of land containing approximately 6,007 square feet located near the intersection of Hull Avenue and Linfield Road, needed for the South Central Addition improvements - \$19,500 - Financing: 1998 Bond Funds **[04-0742; APPROVED]**
15. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Josephine Cisneroz of approximately 7,809 square feet of land improved with a two-story frame house, located near the intersection of Florence and Cantegral Streets, for the Latino Cultural Center Expansion project - \$190,000 - Financing: 1998 Bond Funds **[04-0743; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS

16. Authorize the quitclaim of 16 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$355,848 **[04-0744; POSTPONED UNTIL 03/24/04]**
17. Authorize a release of lien on real property located at 2515 S. Harwood with Darrell "Rocky" Smith dba Rocky Smith Productions - Financing: No cost consideration to the City **[04-0745; APPROVED]**
18. An ordinance granting a revocable license to 7-Eleven, Inc. for the use of approximately 63 square feet of land to install and maintain an awning and sign over a portion of Elm Street right-of-way located near its intersection with Good Latimer Expressway - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[04-0746; ORDINANCE 25498; APPROVED]**
19. Authorize the discharge of the secured, no-interest, forgivable note with South Dallas Health Access in the amount of \$75,000 and the release of lien on real property located at 1906 Peabody Avenue - Financing: No cost consideration to the City **[04-0747; APPROVED AS AN INDIVIDUAL ITEM]**
20. Authorize a public hearing to be held on March 24, 2004, to receive citizens' comments on the proposed reclassification of 23,403 square feet of existing park land at Grauwylar Park located at 7500 Harry Hines Boulevard for library use and at the close of the public hearing, authorize Council action on March 24, 2004 - Financing: No cost consideration to the City **[04-0748; APPROVED]**
21. Authorize a first amendment to the lease agreement with Boys and Girls Clubs of Greater Dallas, Inc., to extend the lease of approximately 2,679 square feet of office space and eight secured designated parking spaces located at 4515 Maple Avenue for the Police Department's Neighborhood Assistance Center from May 1, 2004 through April 30, 2007 - \$56,412 - Financing: Current Funds (subject to annual appropriations) **[04-0749; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

22. Authorize an Interlocal Agreement with the City of Irving to create a Cooperative Purchasing Program that allows the Cities of Dallas and Irving to purchase from each other's contracts for goods and services when economical - Financing: No cost consideration to the City **[04-0750; APPROVED]**
23. Authorize (1) participation in an Interlocal Purchasing Agreement with the Texas Cooperative Purchasing Network, and (2) a sixty-month service contract with Texas Trane Company, through the Texas Cooperative Purchasing Network, for the heating, ventilation and air conditioning maintenance of the central plant and parking garage at Dallas Love Field - Not to exceed \$1,228,450 - Financing: Aviation Current Funds **[04-0751; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

24. Authorize a twenty-four-month service contract for leasing/marketing partner services for the Main Street District Retail Recruitment Initiative with the most advantageous proposer of two - Dallas Downtown Partnership, Inc. - Not to exceed \$247,500 - Financing: Public/Private Partnership Funds **[04-0752; APPROVED AS AMENDED]**
25. Authorize a thirty-six-month price agreement for Waterous brand fire pump parts with the lowest responsible bidder of three - Fire Pump Specialty - Not to exceed \$95,611 - Financing: Current Funds **[04-0753; APPROVED]**
26. Authorize a twenty-four-month price agreement for hay with the lowest responsible bidders of two - Hermond Ragland and Caney Creek Ranch - Not to exceed \$167,883 - Financing: Current Funds **[04-0754; APPROVED]**
27. Authorize a forty-eight-month price agreement for ammunition with the lowest responsible bidders of four - Precision Delta Corporation, C & G Wholesale, G T Distributors, Inc., and TACnologies Ltd. - Not to exceed \$1,580,318 - Financing: Texas Higher Education Coordinating Board Funds (\$486,588), Current Funds (\$414,703), Confiscated Money Funds (\$368,042), and Law Enforcement Officers Standard Education Funds (\$310,985) **[04-0755; APPROVED]**
28. Authorize a thirty-six-month price agreement for Eagle cash key electronic parking meter mechanisms and parts with Duncan Parking Technologies, Inc. - Sole Source - Not to exceed \$242,199 - Financing: Current Funds **[04-0756; DID NOT PASS]**
29. Authorize a twenty-four-month price agreement for ferrous sulfate with the lowest responsible bidder of four - Pencco, Inc. - Not to exceed \$2,150,246 - Financing: Water Utilities Current Funds **[04-0757; APPROVED]**

MISCELLANEOUS

30. Authorize replacement housing and moving expense payments and disbursement of funds from the Mortgage Assistance Program for six homeowners in the Cadillac Heights neighborhood as a result of official written offers of just compensation to purchase real property for the new Dallas Police Academy (list attached) - Not to exceed \$208,000 - Financing: 2003 Bond Funds (\$149,100) and Multi-Family Housing Funds (\$58,900) **[04-0758; APPROVED]**
31. Authorize hardship relief for Pizza Hut Ltd. on property located at 3233 Ft. Worth Avenue 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 **[04-0759; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)
MISCELLANEOUS (Continued)

32. Authorize an excused absence for a member of the Landmark Commission for October 6, 2003, for a religious holiday observance in accordance with City Council policy and the provisions of Chapter 8 of the Dallas City Code - Financing: No cost consideration to the City **[04-0760; APPROVED]**
33. 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 on the southwest corner of Lake Highlands Drive and Buckner Boulevard subject to a development plan, traffic management plan and conditions Z023-134(WE) - Financing: No cost consideration to the City **[04-0761; ORDINANCE 25499; APPROVED AS AN INDIVIDUAL ITEM]**
34. Authorize a twelve-month contract, with two twelve-month renewal options, with The Bethlehem Foundation to provide a family stabilization program to address the problems of economically disadvantaged persons in the southern sector of Dallas for the period April 1, 2004 through March 30, 2005 - Not to exceed \$65,000 - Financing: Current Funds **[04-0762; APPROVED]**
35. Authorize the acceptance of grant funds from the Allstate Foundation for the development and implementation of a youth entrepreneur program for the period April 1, 2004 through September 30, 2004 - Not to exceed \$15,000 - Financing: Allstate Foundation Grant Funds **[04-0763; APPROVED]**
36. Authorize an application review and monitoring process and application and monitoring review fees for housing finance applications to the Texas Department of Housing and Community Affairs that require prior approval from the City of Dallas - Estimated Revenue: \$8,000 **[04-0764; APPROVED AS AN INDIVIDUAL ITEM]**
37. Authorize the reconstruction on-site of two homes in accordance with the Home Repair Program Statement requirements for the properties located at 2414 Macon Street and 1703 Bickers Street - Not to exceed \$55,000 each for a total not to exceed \$110,000 - Financing: 2003-04 Community Development Grant Funds **[04-0765; APPROVED AS AN INDIVIDUAL ITEM]**
38. Approval of the issuance of bonds not to exceed \$4,200,000 by the Heart of Texas Education Finance Corporation for the benefit of the A.W. Brown Fellowship Charter School (Borrower) - Financing: No cost consideration to the City **[04-0766; APPROVED]**
39. Authorize a public hearing to be held on March 24, 2004 to receive citizens' comments in preparation of the FY 2004-05 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[04-0767; APPROVED AS AN INDIVIDUAL ITEM]**
40. An ordinance amending Chapter 2 of the Dallas City Code to create the Dallas Commission on Productivity and Innovation and repealing Resolution No. 93-4567, as amended, to terminate the Privatization Technical Subcommittee - Financing: No cost consideration to the City **[04-0768; ORDINANCE 25501; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

41. Authorize a ten-year maintenance agreement with the Belo Foundation for the maintenance of Lubben Plaza from August 8, 2003 through August 8, 2013 - Financing: No cost consideration to the City **[04-0769; APPROVED]**
42. Authorize a five-year maintenance agreement, with one five-year renewal option, with the Meadows Foundation for the maintenance of Central Square Park located at 3000 Swiss Avenue from November 29, 2003 through November 29, 2008 - Financing: No cost consideration to the City **[04-0770; APPROVED]**
43. A resolution endorsing the continuation of the Dallas Police Department's "Police and Constables in Partnership Program" for increased traffic enforcement and crime reduction efforts to include Northwest Dallas (portions of City Council Districts 1, 2, 3, 6, and 14) with Dallas County Constable Precinct 5, and Southwest Dallas (portions of City Council District 3) with Dallas County Constable Precinct 4, Northeast Dallas (portions of City Council Districts 7, 9, 10, 11, 12, 13, and 14) with Dallas County Constable Precinct 3, and continuing the program in Southeast and Southwest Dallas (portions of City Council Districts 2, 3, 4, 5, 7, 8, and 14) with Dallas County Constable Precinct 1 for the period October 1, 2003 through September 30, 2004 - Financing: No cost consideration to the City **[04-0771; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [04-0772]

44. An application for and an ordinance granting a CS Commercial Service District on property zoned a CR Community Retail District and CR-D Community Retail District with a Liquor Control Overlay located south of Bank Street and west of the R.L. Thornton Freeway and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-109 (MJF) **[04-0773; ORDINANCE 25502; CPC RECOMMENDATION FOLLOWED]**
45. An application for and an ordinance granting a Specific Use Permit for a dance hall use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Hawthorne Avenue and Maple Avenue
Recommendation of Staff: Approval, for a two-year period, subject to a site plan, and condition
Recommendation of CPC: Approval, for a one-year period, subject to a site plan, and condition
Z034-121 (WE) **[04-0774; ORDINANCE 25503; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - CONSENT (Continued)

46. An application for and an ordinance granting renewal of Specific Use Permit No. 1465 for a community service center use on property zoned Planned Development District No. 67 for Single Family, Duplex and Neighborhood Services on the northwest corner of University Boulevard and Roper Street
Recommendation of Staff and CPC: Approval for a two year period, subject to a site plan and conditions
Z034-122 (WE) [04-0775; ORDINANCE 25504; CPC RECOMMENDATION FOLLOWED]
47. An application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an RR Regional Retail District south of Camp Wisdom Road and west of Interstate 35
Recommendation of Staff and CPC: Approval for a ten-year period, with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z034-129(DW) [04-0776; ORDINANCE 25505; CPC RECOMMENDATION FOLLOWED]
48. An application for and an ordinance granting an amendment to Specific Use Permit No. 1393 for a private school on property zoned an R-7.5(A) Single Family District located north of Ledbetter Drive on the east side of Rugged Drive
Recommendation of Staff and CPC: Approval, for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to a site plan and conditions
Z034-130(DW) [04-0777; ORDINANCE 25506; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

49. An application for and an ordinance granting an LI Light Industrial District on property zoned a CR Community Retail District and an NO(A) Neighborhood Office District, north of West Camp Wisdom Road and east of Highway 67 and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-132(DW) [04-0778; ORDINANCE 25507; CPC RECOMMENDATION FOLLOWED]
50. An application for and an ordinance granting a Planned Development District for Single family uses, selected Institutional and community service uses, Transportation uses, and Utility and public service uses on property zoned an A(A) Agricultural District east of Lancaster Road, between Cedardale Road and Telephone Road
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, internal roadway plan, and conditions
Z023-311(RB) [04-0779; APPROVED AS AMENDED; ORDINANCE COME BACK LATER]

ZONING CASES - INDIVIDUAL (Continued)

51. An application for and an ordinance granting a GR General Retail Subdistrict on property zoned an MF-2 Multifamily Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located southeast of Knight Street and southwest of Cedar Springs Road
Recommendation of Staff and CPC: Approval
Z034-127(DW) [04-0780; REFER BACK TO CITY PLAN COMMISSION; HEARING OPEN]

DEVELOPMENT CODE AMENDMENTS - CONSENT

52. Consideration of amendments to Chapter 51P by codifying the regulations of Planned Development District Nos. 108 through 118, 120 through 158, 160 through 167, 169, 171 through 175, 177, 179 through 182, 184 and 185, 188 through 192, 194 through 200, 210, and 350 and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA 034-003 [04-0781; ORDINANCE 25508; CPC RECOMMENDATION FOLLOWED]
53. Consideration of amendments to revise and extend the development incentives in Division 51A-11.100, "Neighborhood Revitalization and Historic Preservation Program", of the Dallas Development Code and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA 034-004 [04-0782; ORDINANCE 25509; CPC RECOMMENDATION FOLLOWED]

ITEMS FOR INDIVIDUAL CONSIDERATION

54. 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) [04-0783; APPOINTMENTS MADE TO BOARDS]
55. Authorize a resolution in support of Texas Department of Housing and Community Affairs tax-exempt bond and low income housing tax credit financing for the new construction of the Sphinx at Delafield multifamily development to be located at 8200 Hoyle Avenue - Financing: No cost consideration to the City [04-0784; APPROVED]
56. Authorize a resolution in support of Texas Department of Housing and Community Affairs tax-exempt bond and low income housing tax credit financing for the new construction of the Churchill at Pinnacle Park multifamily development to be located at the 1400 block of N. Cockrell Hill Road - Financing: No cost consideration to the City [04-0785; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

57. An ordinance adopting Dallas-Fort Worth International Airport Board Resolution Nos. 2003-08-257, 2003-12-386, and 2003-12-396, to amend the Airport Board=s Code of Rules and Regulations Appendix I, Chapter 3 and Chapter 5, to revise block numbers and speed limits for certain streets located on airport property; revise requirements and responsibilities for badge holders at the airport; and establish emission standards for courtesy vehicles - Financing: No cost consideration to the City **[04-0786; ORDINANCE 25510; APPROVED]**

Reconsideration of Addendum Item No. 18 from the February 11, 2004
City Council Agenda

58. * Reconsideration of an ordinance amending Chapter 2 of the Dallas City Code to authorize, in accordance with state law, the donation of outdated or surplus firefighting equipment, supplies, and materials to underdeveloped countries or to the Texas Forest Service for use by rural volunteer fire departments - Financing: No cost consideration to the City **[04-0787; APPROVED]**

If Item No. 58 is approved, the City Council shall consider Item No. 59.

59. * An ordinance amending Chapter 2 of the Dallas City Code to authorize, in accordance with state law, the donation of outdated or surplus firefighting equipment, supplies, and materials to underdeveloped countries or to the Texas Forest Service for use by rural volunteer fire departments (Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill, and Councilmembers Salazar, Garcia, Chaney, Oakley, Griffith, Rasansky, and Blaydes) **[04-0787; ORDINANCE 25511; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

60. A resolution expressing the commitment of the City of Dallas, Texas, to civil rights and liberties and urging certain actions be taken with respect to the "USA Patriot Act" (Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill, Councilmembers Chaney, Salazar, and Thornton-Reese) **[04-0788; APPROVED]**

Closed Session [04-0789; CLOSED SESSION HELD]

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

- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H

ADDENDUM

ADDITIONS:

Closed Session **[04-0790; CLOSED SESSION HELD]**

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

- Manhattan Construction Company v. Austin Commercial, Inc., Cause No. 03-8212-H
- Cox, et al. v. City of Dallas, Cause No. 3-98-CV-1762, in the United States District Court for the Northern District of Texas

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize **(1)** an increase in the contract with Nedderman and Associates for the facade improvements related to the Thompson Building at 1520-1522 Main Street in an amount not to exceed \$150,782, from \$1,698,900 to \$1,849,682, **(2)** assignment of the increase to Main Street Investors Joint Venture for construction management, and **(3)** an increase in payment to Main Street Investors Joint Venture in an amount not to exceed \$52,500 for reimbursables and construction management - Total not to exceed \$203,282 - Financing: City Center TIF District Funds **[04-0791; APPROVED]**
2. Authorize **(1)** Supplemental Agreement No. 8 to the contract with Austin Commercial, Inc. to provide funding for additional construction changes in the contract with Manhattan Construction Company, increasing the Guaranteed Maximum Price for the Dallas Convention Center Expansion & Renovation 2002 project in the amount of \$112,313, from \$111,101,521 to \$111,213,834 and the total contract amount from \$120,476,381 to \$120,588,694; and, **(2)** an increase in the contract with Manhattan Construction Company for construction changes related to structural, electrical, fire protection, mechanical, plumbing, architectural and obstruction allowance adjustment for the Dallas Convention Center Expansion & Renovation 2002 project, in the amount of \$112,313, from \$97,169,364 to \$97,281,677 within the Guaranteed Maximum Price - Total not to exceed \$112,313 - Financing: 1998 Convention Center Expansion Funds **[04-0792; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

3. Authorize an increase in the contract with Omega Contracting, Incorporated for additional archaeological investigation for the construction of the Trinity River boat ramp associated access road and parking area near Loop 12 at the Trinity River - \$53,181, from \$328,567 to \$381,748 - Financing: 1998 Bond Funds **[04-0793; APPROVED]**

LAND MISCELLANEOUS

4. Declare approximately 6,004 square feet of undevelopable City-owned land located at 5006 Columbia Avenue near its intersection with Munger Street, unwanted and unneeded and authorize its sale to Dean Miller, the abutting property owner - Revenue: \$44,000 **[04-0794; ORDINANCE 25520; APPROVED]**
5. An ordinance abandoning portions of Oak Grove Avenue, North Central Expressway Service Road and Lemmon Avenue rights-of-way to Blackburn Central Holdings, LP, the abutting owner, containing a total of approximately 3,982 square feet of land located near the intersections of North Central Expressway at Haskell-Blackburn Connection and Lemmon Avenue, providing for the dedication of approximately 3,982 square feet of land needed for street right-of-way and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[04-0795; ORDINANCE 25512; APPROVED]**
6. An ordinance abandoning a portion of an alley to Jeffries Street Learning Center, the abutting owner, containing approximately 2,250 square feet of land located near the intersection of Meyers Street and Grand Avenue, providing for the dedication of approximately 2,250 square feet of land needed for alley right-of-way, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[04-0796; ORDINANCE 25513; APPROVED]**
7. An ordinance abandoning a portion of an alley to Providence Christian School of Texas, the abutting owner, containing approximately 4,090 square feet of land located near the intersection of Lovers Lane and Caillet Street, and authorizing the quitclaim - Revenue: \$69,530 plus the \$20 ordinance publication fee **[04-0797; ORDINANCE 25514; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

8. Authorize an agreement with the Texas Department of Transportation - Aviation Division to act as the City=s agent in applying for and accepting Federal Aviation Administration Airport Improvement Program Funds for capital improvement projects at Dallas Executive Airport - Not to exceed \$2,277,600 - Financing: Federal Aviation Administration Airport Improvement Program Funds **[04-0798; APPROVED]**
9. Authorize **(1)** application for and acceptance of the Violence Against Women Act Fund in the amount of \$250,000, to operate the City of Dallas= first Domestic Violence Community Court for the period of September 1, 2004 through August 31, 2005; **(2)** a cash match in the amount \$91,908 (which represents an amount more than the 25% match requirement of the grant) for twelve months; and **(3)** execution of the grant agreement - \$341,908 - Financing: Office of the Governor Criminal Justice Division State Grant Funds (\$250,000) and Current Funds (\$91,908) (subject to appropriations) **[04-0799; APPROVED AS AN INDIVIDUAL ITEM]**
10. Authorize an amendment to Resolution Nos. 03-1723 and 03-1724, previously approved on June 11, 2003 for the funding of environmental remediation, interior demolition, historic facade restoration, and related design costs for the redevelopment of 1530 Main Street (Dallas National Bank Building) to **(1)** add funding for environmental remediation, interior demolition, historic facade restoration, and related design costs, in an amount not to exceed \$2,050,000, increasing the TIF funding from \$2,950,000 to \$5,000,000 plus interest, **(2)** increase appropriations in the amount of \$2,050,000 in the City Center TIF District Fund, **(3)** execute the development agreement with 1530 Main Street Hotel Group LP and/or its affiliate, **(4)** increase the required private investment in the amount of \$3,000,000, from \$11,000,000 to \$14,000,000, including purchase price, by 1530 Main Street Hotel Group LP and/or their tenants; and **(5)** increase the intent to reimburse 1530 Main Street Hotel Group LP in the amount of \$2,050,000, from \$2,950,000 to \$5,000,000 - Total not to exceed \$2,050,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund) **[04-0800; APPROVED AS AMENDED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

11. Authorize an amendment to Resolution No. 99-3439, previously approved on October 27, 1999, to allow the South Dallas/Fair Park Trust Fund Board to access unused and unencumbered funds from prior fiscal years for use in subsequent fiscal years for the purpose of supporting activities consistent with the South Dallas/Fair Park Trust Fund's approved programs - Financing: No cost consideration to the City **[04-0801; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize a consulting services contract with MAXIMUS, Inc. for an organization and management review of the Building Inspection Division of the Department of Development Services - Not to exceed \$25,000 - Financing: Building Inspection Current Funds **[04-0802; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - INDIVIDUAL

13. An application for and an ordinance granting a Planned Development Subdistrict for a Public school and MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of the intersection of Gilbert Avenue and Herschel Avenue and an ordinance terminating Specific Use Permit No. 645 for an Institution for special education
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions and approval of the termination of SUP No. 645
Z034-128(RB) **[04-0803; ORDINANCE 25515; CPC RECOMMENDATION FOLLOWED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

14. Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, P.C., to provide additional legal services in the lawsuit styled Sherrie C. Wilson v. The City of Dallas, Dallas Fire Department, and Chief, Dallas Fire Department, Civil Action No. 3:02-CV-1065-P, and any other proceedings relating to the subject matter of the lawsuit - Not to exceed \$10,000, from \$15,000 to \$25,000 - Financing: Current Funds **[04-0804; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

15. Authorize a professional services contract with the law firm of Brown & Hofmeister, L.L.P. for legal services necessary for representation of the City of Dallas in the lawsuits styled Gilmore v. City of Dallas, Civil Action No. 3:03-CV-1243-R; Robert Jackson, et al. v. the City of Dallas, Texas, et al., Civil Action No. 3:00-CV-588-H, consolidated with Muncy, et al. v. the City of Dallas, Texas, et al., Civil Action No. 3:99-CV-2960-P; Lee Bush, Malik Aziz, Lloyd Brown, Preston Gilstrap, Desiree Webb, Terrance Rhodes, Marvin Johnson, Curtis McGruder, Rosalind Perry, Jacqueline Howard, Dexter Ingram, Vincent Lee, Quelanda Clark, C. U. Onyewuchi, Vincent Weddington, Gerry Westry, Debra Thomas, Michael Hunter, Joseph Childs, Connel Butler v. City of Dallas, Ted Benavides, Dallas City Manager, Individually and Officially, Terrell Bolton, Dallas Police Chief, Individually and Officially, and Booth Research Group, Inc., Civil Action No. 3:02-CV-1570-D; Kevin Ellis, Lee Bush, Tom Clayton, Shawn Wash, and Steve Fuentes v. Eddie Crawford, Randy Hampton, Terrell Bolton, Roseanna Renaud, June Kim Edwards, Joe Gunn, Rick Andrews, and Scott Gerdes, Civil Action No. 3:03-CV-2416-D, Cause No. 3:02-CV-0649-K - Not to exceed \$100,000 - Financing: Current Funds **[04-0805; APPROVED]**
16. Authorize a professional services contract with the law firm of Brown & Hofmeister, L.L.P. for legal services necessary for representation of the City of Dallas in the lawsuits styled Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K; Victor Alvarado DeLeon v. Mark DeLaPaz, et al., Cause No. 3:02-CV-1097-K; Jacinto Jesus Mejia v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0352-K; Loreno Escamilla v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0848-D; Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K; George Sifuentez v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0961-D; Yvonne Gwyn v. Mark DeLaPaz, et al., Cause No. 3:03-CV-2121-K; Thomas Wayne Williams v. Daniel Earl Maples, et al., Cause No. 3:02-CV-1662-H; Anthony Lynn Curlin v. Daniel Earl Maples, et al., Cause No. 3:02-CV-1997-H; Sonny Morris v. James Walker, et al., Cause No. 3:02-CV-2401-P; Keith B. Burkins v. Roger A. Rudloff, et al., Cause No. 3:00-CV-2377-M - Not to exceed \$200,000 - Financing: Current Funds **[04-0806; APPROVED]**
17. Authorize **(1)** application for and acceptance of the State Criminal Justice Planning (421) Fund grant in the amount of \$45,385, to improve compliance and environmental quality for the period October 1, 2004 through September 30, 2005; **(2)** a cash match in an amount not to exceed \$31,991 (42% of the total program cost); and **(3)** execution of the grant agreement - Total not to exceed \$77,376 - Financing: Office of the Governor Criminal Justice Division State Grant Funds (\$45,385) and Current Funds (\$31,991) (subject to annual appropriations) **[04-0807; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

City of Heath

Note: Item Nos. 18 & 19 must be considered collectively.

18. * Authorize settlement of the lawsuit, styled City of Heath v. City of Dallas v. Travis Ranch Development, Ltd., No. 1-02-442, grant a limited waiver of immunity from suit and immunity from liability to the City of Heath (Heath) in connection with that settlement in exchange for Heath granting an identical waiver to the City, and authorize and direct the City Manager to sign an Interlocal Agreement leasing certain property owned by the City along the shoreline of Lake Ray Hubbard to Heath - Financing: No cost consideration to the City **[04-0808; APPROVED]**
19. * An ordinance waiving the City of Dallas' extraterritorial jurisdiction to a tract of land generally located in southern Rockwall County and northern Kaufman County in favor of the City of Heath under certain conditions - Financing: No cost consideration to the City **[04-0809; ORDINANCE 25516; APPROVED]**

Creation of the Office of Environmental Quality

Note: Item Nos 20 & 21 must be considered collectively.

20. * An ordinance amending Chapter 2 of the Dallas City Code to create an Office of Environmental Quality to serve as a resource to City departments by providing technical and regulatory assistance on environmental issues - Financing: No additional cost consideration to the City **[04-0810; ORDINANCE 25517; APPROVED]**
21. * Authorize **(1)** position and classification additions, transfers and changes associated with departmental restructuring, to the Office of Environmental Quality and the Department of Public Works and Transportation, effective April 1, 2004 and **(2)** the transfer of FY 2003-04 appropriations from various General Fund departments in the amount of \$441,140 to the Office of Environmental Quality and in the amount of \$445,395 to the Department of Public Works and Transportation - Financing: No additional cost consideration to the City **[04-0811; APPROVED]**
22. Authorize a resolution in support of Texas Department of Housing and Community Affairs low income housing tax credit financing for the new construction of Primrose at Highland senior multifamily development to be located on Highland Road at the intersection of Valley Glen - Financing: No cost consideration to the City **[04-0812; APPROVED AS AMENDED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

23. Authorize a resolution in support of Texas Department of Housing and Community Affairs low income housing tax credit financing for the new construction of Gateway Village, a multifamily development located at 4600 St. Francis Avenue - Financing: No cost consideration to the City **[04-0813; REQUEST DENIED]**
24. Authorize a resolution in support of Texas Department of Housing and Community Affairs low income housing tax credit financing for the new construction of Cherrycrest Villas, a new senior multifamily development to be located at the north side of the 2500 block of John West Road - Financing: No cost consideration to the City **[04-0814; APPROVED AS AMENDED]**
25. Authorize a resolution in support of Texas Department of Housing and Community Affairs low income housing tax credit financing for the rehabilitation of the former Radisson Hotel located at 1893 Mockingbird Lane, into a senior multifamily development to be known as the Providence at UT Southwestern - Financing: No cost consideration to the City **[04-0815; APPROVED AS AMENDED]**
26. Authorize a professional services contract with the architectural firm of Brown Reynolds Watford Architects, Inc. to provide expert services necessary in the lawsuit styled Harold Cox, et al., v. The City of Dallas, Civil Action No. 3:98-CV-1763-BH, and any other proceedings relating to the subject matter of the lawsuit - Not to exceed \$29,500 - Financing: Current Funds **[04-0816; APPROVED]**
27. Authorize **(1)** continued development of the Trinity Interpretive Center concept, which includes interpretive exhibits **(2)** approval of the site selection for the Trinity Interpretive Center and the Trinity Equestrian Center **(3)** City Staff to continue design through schematic design phase of the Trinity Equestrian Center on a concurrent time schedule with the Trinity Interpretive Center **(4)** develop business plan for the Interpretive Center concept; and, **(5)** develop business plan for the Equestrian Center, including Phase I and full master plan - Financing: No cost consideration to the City **[04-0817; APPROVED]**
28. Authorize a contract for the construction of closure and restoration activities at the Deepwood Loop 12 Landfill, Phase 2, including waste removal and relocation, landfill clay cap construction, landscaping, installation of active gas collection trench, earth backfill related work and enhanced landscaping - Rodman Excavation, Inc., lowest responsible bidder of three - \$9,461,839 - Financing: 2003 Certificates of Obligation **[04-0818; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

29. Authorize annual adjustments to appropriations for the 2002-03 fiscal year for year-end close - Financing: No cost consideration to the City **[04-0819; APPROVED]**
30. An ordinance authorizing the issuance and sale of \$7,500,000 City of Dallas, Texas Tax Increment Financing Reinvestment Zone Number Two (Cityplace) Tax Increment Bonds, Series 2004; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Financing: No cost consideration to the City **(To be considered before 12:00 noon) [04-0820; ORDINANCE 25500; APPROVED]**
31. Authorize Supplemental Agreement No. 7 to the Master Interlocal Agreement with Dallas Area Rapid Transit establishing the process and funding participation for selecting the tunnel or spur for providing direct light rail access to Dallas Love Field, and determining the timing and payment of funding to Dallas Area Rapid Transit in order to enable Dallas Area Rapid Transit to design and construct light rail transit service to Dallas Love Field - Financing: This action has no cost consideration to the City **[04-0821; APPROVED]**
32. Authorize a contract for asphaltic concrete street resurfacing, restoration and rehabilitation on various improved and unimproved streets (list attached) - Austin Bridge and Road, LP, lowest responsible bidder of five - \$3,543,325 - Financing: Current Funds (\$3,326,020), 2003 Bond Funds (\$95,900), and Water Utilities Capital Construction Funds (\$121,405) **[04-0822; DID NOT PASS]**

ITEMS FOR FURTHER CONSIDERATION

33. An ordinance amending Chapter 13 of the Dallas City Code to provide for the selection of associate and full-time municipal judges, including the selection of the administrative municipal judge - Financing: No cost consideration to the City **[04-0823; ORDINANCE 25518; APPROVED]**
34. An ordinance abandoning an alley to HPI/GSA-2B, L.P. the abutting owner, containing approximately 4,555 square feet of land located near the intersection of Akard and Wood Streets, and authorizing the quitclaim - Revenue: \$147,127 plus the \$20 ordinance publication fee **[04-0824; ORDINANCE 25519; APPROVED]**