

**AGENDA**  
**CITY COUNCIL MEETING**  
**APRIL 14, 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) **[04-1150]**

Agenda Item/Open Microphone Speakers **[04-1151]**

VOTING AGENDA

1. Approval of Minutes of the March 24, 2004 City Council Meeting **[04-1152; APPROVED]**

CONSENT AGENDA **[04-1153]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with T. Howard & Associates Architects, Inc. to provide master planning, conceptual design, schematic design, design development, construction documents, bidding, construction administration services, boundary and topographic survey and replatting for renovations at Churchill Park located at 7025 Churchill Way - \$73,616 - Financing: 2003 Bond Funds **[04-1154; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with GSR Andrade Architects, Inc. to provide a feasibility review and report, schematic design, design development, construction documents, bidding and construction administration for improvements including removal of the existing hydraulic floor in the main pool, addition of ramp to main pool, hydraulic lift to whirlpool, replacement of filtering and heating components of the pools, and replacement of some heating, ventilation and air conditioning equipment for the Bachman Therapeutic Center located at 2750 Bachman Drive - \$53,000 - Financing: 2003 Bond Funds **[04-1155; APPROVED]**
4. Authorize a professional services contract with Newman, Jackson, Bieberstein Landscape Architecture to provide preliminary design, construction documents, bidding and construction administration services, limited surveying and mapping for Phase II and an amenities plan for Phase I and Phase II at Preston Ridge Trail located between McCallum Boulevard to Highway 190 at Hillcrest Road - \$104,355 - Financing: 2003 Bond Funds **[04-1156; APPROVED]**
5. Authorize a professional services contract with Freese and Nichols, Inc. to provide conceptual planning, topographic survey and construction documents for Coombs Creek Trail located between Beckley Avenue to Hampton Road - \$57,506 - Financing: 2003 Bond Funds **[04-1157; APPROVED]**
6. Authorize a professional services contract with GSR Andrade Architects, Inc. to provide programming, schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for Fire Station No. 38 located at Bonnieview and Wilhurt Avenue - \$273,782 - Financing: 2003 Bond Funds **[04-1158; APPROVED]**
7. Authorize a professional services contract with Phillips Swager Associates for architectural and engineering services for the design of the Timberglen Branch Library to be located near the corner of Timberglen Road and Midway Road - \$465,865 - Financing: 2003 Bond Funds **[04-1159; APPROVED]**
8. Authorize a professional services contract with DAL-TECH Engineering, Inc. to provide engineering services for the design to replace water mains and rehabilitate wastewater mains in various locations (list attached) - \$800,438 - Financing: Water Utilities Capital Improvement Funds **[04-1160; APPROVED]**
9. Authorize a professional services contract with Arredondo, Zepeda & Brunz, Inc. to provide engineering services for the design to replace water mains and rehabilitate wastewater mains in various locations (list attached) - \$736,560 - Financing: Water Utilities Capital Improvement Funds **[04-1161; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

10. Authorize (1) a contract for the restoration of the Vietnam Veterans Memorial at Fair Park with Phoenix I Restoration and Construction, Ltd., best value proposer of two in the amount of \$192,000; and (2) an increase in appropriations in an amount not to exceed \$20,677 in the Vietnam Veteran Memorial Maintenance Trust Fund - Total not to exceed \$192,000 - Financing: Vietnam Veteran Memorial Maintenance Trust Fund (\$33,974) and Fair Park Special Maintenance Fund (\$158,026) **[04-1162; APPROVED]**
11. Authorize a contract for the construction of repairs and interior improvements at the Southside Wastewater Treatment Plant administration building - Phoenix I Restoration and Construction, Ltd., lowest responsible bidder of three - \$1,597,000 - Financing: Water Utilities Capital Construction Funds **[04-1163; APPROVED]**

Dallas Love Field Airport Blast Fences No. 7 and No. 8

12. \* Authorize (1) a contract for the reconstruction of airfield blast fences No. 7 and No. 8 at Dallas Love Field Airport with Gibson & Associates, Inc., lowest responsible bidder of six, in an amount not to exceed \$2,273,759, and (2) the establishment of appropriations in an amount not to exceed \$2,783,639 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Total not to exceed \$2,273,759 - Financing: Aviation Capital Construction Funds (\$568,440), Federal Aviation Administration Grant Funds (\$1,705,319) **[04-1164; APPROVED]**

Contract Amendments

13. \* Authorize Supplemental Agreement No. 5 to the contract with Charles Gojer and Associates, Inc. to provide construction management services for the reconstruction of blast fences No. 7 and No. 8 at Dallas Love Field - \$75,800, from \$331,430 to \$407,230 - Financing: Aviation Capital Construction Funds (\$18,950), Federal Aviation Administration Grant Funds (\$56,850) **[04-1165; APPROVED]**
14. Authorize an increase in the contract with Dean Electric, Inc. dba Dean Construction to provide miscellaneous improvements including wetland mitigation, additional cost for reflection plaza, lighting and electrical appurtenances, temporary striping and roadway improvements on West Lawther Drive to accommodate pedestrian traffic detoured onto roadway during trail closure for reconstruction of boat house bridge, and miscellaneous improvements including resurfacing, striping and shoreline erosion control for East Lawther hike and bike trail at White Rock Lake Park located at 8300 Garland Road - \$137,906, from \$1,255,948 to \$1,393,854 - Financing: 2003 Bond Funds **[04-1166; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

15. Authorize an increase in the contract with Golf Works, Inc. for additional improvements at the Cedar Crest Golf Course including Tifway 419 sod, Klingstone bunker liner, drainage pipe, new 6, 8, and 12-foot wide cart paths and new electrical service extension to the irrigation pump station - \$173,697, from \$2,363,605 to \$2,537,302 - Financing: Golf Course Improvement Trust Funds **[04-1167; APPROVED]**
16. Authorize an increase in the contract with SYB Construction Company for the construction of additional new driveways and extending the replacement limits of driveway approaches on Mexicana Road from dead-end to Canada Drive and Canada Drive from Mexicana Road to Pluto Street - \$39,538, from \$1,823,194 to \$1,862,732 - Financing: 1998 Bond Funds **[04-1168; APPROVED]**
17. Authorize an increase in the contract with North Texas Bomanite, Inc. for the Garage A structural repair project at Dallas Love Field to provide for the relocation of electrical conduit for garage lighting - \$202,999, from \$2,291,563 to \$2,494,562, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[04-1169; APPROVED]**
18. Authorize an increase in the contract with Barson Utilities, Inc. for additional pavement work associated with replacement or rehabilitation of water and wastewater mains in Winnetka Avenue from Green Street to Colorado Boulevard - \$82,445, from \$2,841,963 to \$2,924,408 - Financing: Water Utilities Capital Construction Funds (to be reimbursed from Current Funds) **[04-1170; APPROVED]**
19. Authorize an increase in the contract with Archer-Western Contractors, Ltd. for cleaning, raising and repair of the Forney Dam and Frasier Dam and additional work at the East Side Water Treatment Plant ozone facility - \$4,045,681, from \$41,736,219 to \$45,781,900 - Financing: Water Utilities Capital Improvement Funds **[04-1171; APPROVED]**
20. Authorize an increase in the contract with Malcolm Pirnie, Inc. for providing the engineering services to update the Dallas Water Utilities Risk Management Plans for each of the water and wastewater treatment plants - \$342,938, from \$1,363,089 to \$1,706,027 - Financing: Water Utilities Capital Construction Funds **[04-1172; APPROVED]**
21. Authorize an increase in the contract with Hall-Albert Construction Company for water main replacement in Jourdan Way between Joyce Way and Walnut Hill Lane - \$69,104, from \$4,033,834 to \$4,102,938 - Financing: Water Utilities Capital Improvement Funds **[04-1173; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

22. Authorize Supplemental Agreement No. 3 to the professional services contract with MWH Americas, Inc. for the evaluation of the Pretreatment and Laboratory Services program and laboratory facilities at the Southside Wastewater Treatment Plant and the Central Wastewater Treatment Plant - \$283,118, from \$1,801,250 to \$2,084,368 - Financing: Water Utilities Capital Construction Funds **[04-1174; APPROVED]**

LAND MISCELLANEOUS

23. An ordinance granting a revocable license to Duncanville Independent School District for the use of approximately 160 square feet of land to install and maintain fiber optic cable under a portion of Camp Wisdom Road right-of-way located near its intersection with Cedar Ridge Road - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[04-1175; ORDINANCE 25541; APPROVED]**
24. An ordinance abandoning a portion of a sanitary sewer easement to Home Depot U.S.A., Inc. and FWA/Bahama Development, Ltd., the abutting owners, containing approximately 8,160 square feet of land located near the intersection of Fort Worth Avenue and Bahama Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[04-1176; ORDINANCE 25542; APPROVED]**
25. An ordinance closing and vacating a portion of Brookfield Avenue containing approximately 7,500 square feet of land located near its intersection with Denton Drive for the purpose of consolidating this area with the adjacent City-owned property - Revenue: \$26,966 **[04-1177; ORDINANCE 25543; APPROVED]**
26. Authorize a first amendment to the lease with Love Partners, Inc. to delete 475 square feet of improved land, add 7,500 square feet of improved land, provide a ten-year option to lease approximately 44,434 square feet of unimproved airside land located adjacent to the leased premises at 10% of the prevailing unimproved ground rental rate at Dallas Love Field, and assignment of the lease to Reeves Street, LLC - Revenue: \$4,653 annually including the option fee **[04-1178; DEFERRED TO THE BUSINESS & COMMERCE COMMITTEE]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

27. Authorize an Interlocal Agreement with the City of Plano to create a Cooperative Purchasing Program that allows the Cities of Dallas and Plano to purchase from each other's contracts for goods and services when economical - Financing: No cost consideration to the City **[04-1179; APPROVED]**
28. Authorize (1) the rejection of bids received for painting of interior and exterior of buildings, gym floor resurfacing and repair, and graffiti removal services, and (2) the re-advertisement for new bids - Financing: No cost consideration to the City **[04-1180; APPROVED]**

## CONSENT AGENDA (Continued)

### PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

29. Authorize a thirty-six-month price agreement for automotive, truck and equipment batteries with the lowest responsible bidder of three - Continental Battery Company - Not to exceed \$364,356 - Financing: Current Funds **[04-1181; APPROVED]**
30. Authorize a thirty-six-month price agreement for fasteners with the lowest responsible bidder of two - D. F. Sales - Not to exceed \$450,000 - Financing: Water Utilities Current Funds (\$322,142), Current Funds (\$127,858) **[04-1182; APPROVED]**
31. Authorize a thirty-six-month price agreement for dress uniform coats and trousers for the Dallas Fire Department with the lowest responsible bidder of six - Mag & Son, L.L.C. dba Mag & Son Clothing, L.L.C. - Not to exceed \$246,263 - Financing: Current Funds **[04-1183; APPROVED]**
32. Authorize a forty-eight-month price agreement for best-selling books for the Dallas Public Library with the best value bidder of two - Ingram Library Services, Inc. - Not to exceed \$1,142,250 - Financing: Current Funds **[04-1184; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize a thirty-six-month service contract for applicant pre-employment polygraph examinations for the Dallas Police Department with the lowest responsible bidders of five - Michael D. Park & Associates Polygraph and Ruiz Protective Service, Inc. - Not to exceed \$166,455 - Financing: Current Funds **[04-1185; APPROVED AS AN INDIVIDUAL ITEM]**
34. Authorize a thirty-six-month price agreement for jet fuel to be used in helicopters for the Dallas Police Department with the lowest responsible bidder of two - Truman Arnold Companies - Not to exceed \$232,506 - Financing: Current Funds **[04-1186; APPROVED]**
35. Authorize a twelve-month price agreement for Eagle cash key electronic parking meter mechanisms and parts with Duncan Parking Technologies, Inc. - Sole Source - Not to exceed \$58,962 - Financing: Current Funds **[04-1187; APPROVED]**
36. Authorize a thirty-six-month price agreement for traffic signal hardware and supplies with the lowest responsible bidders of five - General Traffic Equipment Corp., Consolidated Traffic Controls, Inc., Paradigm Traffic Systems and Traffic Parts, Inc. - Not to exceed \$135,604 - Financing: Current Funds **[04-1188; APPROVED]**

### MISCELLANEOUS

37. Authorize a no-interest forgivable loan to Leon Batie, d/b/a Batie Enterprises, Inc., pursuant to the South Dallas franchise development initiative, to locate a Subway sandwich operation at 5106 Bexar Street - \$25,000 - Financing: 2000-01 Community Development Grant Reprogramming Funds **[04-1189; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

38. An ordinance authorizing a correction to Ordinance No. 24671 for an amendment to Planned Development District No. 598 for Mixed Uses to create a new Tract IIA for MU-1 Mixed Use District Uses on property located on the north side of IH20 between Hampton Road and Polk Street to correct the omission of a City Plan Commission and City Council approved Tract IIA landscape plan (Z001-117) - Financing: No cost to consideration to the City **[04-1190; DELETED ON THE ADDENDUM]**
39. An ordinance granting a Specific Use Permit for a one-year period for a Dance Hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the southeast side of McKinney Avenue southwest of Clyde Lane - Financing: No cost consideration to the City **[04-1191; ORDINANCE 25544; APPROVED AS AMENDED]**
40. Authorize the acceptance of a grant from the Texas Commission on Environmental Quality for partial reimbursement of fuel costs relative to the purchase of Texas Low Emission diesel fuel - Not to exceed \$137,995 - Financing: Texas Emission Reduction Plan Grant Funds **[04-1192; APPROVED]**
41. Authorize (1) the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period of May 1, 2004 through April 30, 2005 and (2) execution of the grant agreement - Not to exceed \$442,440 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[04-1193; APPROVED]**
42. Authorize (1) the acceptance of an amended proposal from SouthFair Community Development Corporation for the development of the unimproved property at 2829 South Boulevard obtained through the Land Assembly process, and (2) a time extension for the development and execution of a correction deed and amended Deed Restrictions - Financing: No cost consideration to the City **[04-1194; APPROVED]**
43. Authorize (1) a public hearing to be held on April 28, 2004 to receive citizens' comments on amended proposals from East Dallas Community Organization and SouthFair Community Development Corporation, qualified non-profit organizations, to consider changes in the end uses and time extensions for development of 3 unimproved properties obtained through the House Bill 110 process, and (2) at the close of the public hearing, consideration of acceptance of the amended proposals (list attached) - Financing: No cost consideration to the City **[04-1195; APPROVED]**

## PUBLIC HEARINGS AND RELATED ACTIONS

### ZONING CASES - CONSENT [04-1196]

44. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an RR Regional Retail District on R. L. Thornton Freeway south of Hammerking Road and north of Burrell Street and a resolution accepting deed restrictions volunteered by the applicant  
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by applicant  
Z023-178 (MM) [04-1197; ORDINANCE 25545; CPC RECOMMENDATION FOLLOWED]
45. An application for and an ordinance granting an Historic Overlay for the 1954 portion of the Republic Bank Tower on property zoned a CA-1(A)-CP Central Area District-Core Pedestrian Precinct on the northeast side of North Ervay Street between Bryan Street and Pacific Avenue  
Recommendation of Staff and CPC: Approval, subject to preservation criteria  
Z023-305 (JA) [04-1198; ORDINANCE 25546; CPC RECOMMENDATION FOLLOWED]
46. An application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the southeast corner of Masters Drive and Limestone Road and a resolution accepting deed restrictions volunteered by the applicant  
Recommendation of Staff: Approval  
Recommendation of CPC: Approval, subject to the deed restrictions volunteered by the applicant  
Z034-145 (WE) [04-1199; ORDINANCE 25547; CPC RECOMMENDATION FOLLOWED]
47. An application for and an ordinance granting a Specific Use Permit for a Childcare Facility, Community Service Center and Private Recreation Center, Club, or Area on property zoned an R-5(A) Single Family District on the northwest side of Bernal Drive southwest of Palacios Avenue  
Recommendation of Staff and CPC: Approval, for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions  
Z034-148 (DW) [04-1200; ORDINANCE 25548; CPC RECOMMENDATION FOLLOWED]
48. An application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication for a monopole cellular tower on property zoned a CR Community Retail District on Oates Drive east of Ferguson Road  
Recommendation of Staff and CPC: Approval, for a ten-year period with eligibility for automatic renewal for additional ten-year periods subject to a site plan and conditions  
Z034-149 (RB) [04-1201; ORDINANCE 25549; CPC RECOMMENDATION FOLLOWED]



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

49. An application for and an ordinance granting a Subdistrict for a Nursery, Garden Shop or Plant Sales use and Tract III uses in Tract III within Planned Development District No. 87, the Winnetka Heights Historic District, on the southwest corner of Clinton Avenue and Davis Street  
Recommendation of Staff and CPC: Approval, subject to conditions  
Z034-158 (WE) [04-1202; ORDINANCE 25550; CPC RECOMMENDATION FOLLOWED]
50. An application for and an ordinance granting a Specific Use Permit for a Tower/antenna for Cellular Communication on property zoned a CR Community Retail District on the northeast corner of Greenville Avenue and Bryan Street  
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, landscape plan and conditions  
Z034-161 (MM) [04-1203; ORDINANCE 25551; CPC RECOMMENDATION FOLLOWED]
51. An application for and an ordinance granting a Subdistrict for Multiple Family uses and Tract III uses in Tract III within Planned Development District No. 87, the Winnetka Heights Historic District, on the west side of Clinton Avenue, north of Davis Street  
Recommendation of Staff and CPC: Approval, subject to conditions  
Z034-164 (WE) [04-1204; ORDINANCE 25552; CPC RECOMMENDATION FOLLOWED]
52. An application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1176 for a Community Service Center in Subareas 2 and 4 of Planned Development District No. 363 on property on the north corner of the intersection of Grand Avenue and Meyers Street  
Recommendation of Staff and CPC: Approval, for a ten-year period with automatic renewals for additional ten year periods subject to a site plan and conditions  
Z034-165 (MM) [04-1205; ORDINANCE 25553; CPC RECOMMENDATION FOLLOWED]
53. An application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the west corner of the intersection of Mockingbird Lane and Harry Hines Boulevard  
Recommendation of Staff and CPC: Approval  
Z034-169 (MM) [04-1206; ORDINANCE 25554; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

54. An application for and an ordinance granting an MF-2(A) Multifamily Subdistrict in Planned Development District No. 595, the South Dallas/ Fair Park Special Purpose District, on property zoned an NC Neighborhood Commercial Subdistrict located on the southeast corner of Spence Street and Lenway Street  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval  
Z034-157 (MJF) [04-1207; OVERRULED CPC; DENIED WITH PREJUDICE]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

55. An application for an R-5(A) Single Family District on property zoned an R-10(A) Single Family District on Westmoreland Road south of Red Bird Lane and an ordinance granting an R-7.5(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval of an R-7.5(A) Single Family District subject to deed restrictions volunteered by the applicant in lieu of the R-5(A) Single Family District requested by the applicant  
Z034-146 (WE) [04-1208; ORDINANCE 25555; CPC RECOMMENDATION FOLLOWED]
56. An application for an R-5(A) Single Family District on property zoned an R-10(A) Single Family District on the east and west side of Westmoreland Road north of Camp Wisdom Road, east of American Way and west of Del-Rey Drive with deed restrictions volunteered by the applicant and an ordinance granting an R-7.5(A) Single Family District  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval of an R-7.5(A) Single Family District in lieu of the R-5(A) Single Family District requested by the applicant  
Z034-163 (MM) [04-1209; ORDINANCE 25556; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

57. An application for and an ordinance granting an RR Regional Retail District on property zoned an MU-3 Mixed Use District, south of Northwest Highway, east of Gardner Road and west of Walton Walker Boulevard (Loop 12)  
Recommendation of Staff and CPC: Approval  
Z034-141 (MM) [04-1210; APPLICATION APPROVED AS AMENDED; ORDINANCE TO COME BACK LATER]  
Note: This item was considered by the City Council at a public hearing on March 24, 2004, and was held under advisement until April 14, 2004, with the public hearing open.

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

58. An application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 646 for a Public school other than an open-enrollment charter school and R-7.5(A) Single Family District Uses on property bounded by Wilton Avenue, Ravinia Drive, Searcy Avenue, and Cowart Avenue  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z034-150 (RB) [04-1211; ORDINANCE 25557; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT (Continued)

59. An application for and an ordinance granting a Specific Use Permit for a Public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on property generally bounded by Kirnwood Drive, Groveway Drive, Cleardale Drive, and Racine Drive  
Recommendation of Staff and CPC: Approval, for a permanent time period subject to a site plan and conditions  
Z034-151 (RB) [04-1212; **ORDINANCE 25558; CPC RECOMMENDATION FOLLOWED**]
60. An application for and an ordinance granting a Planned Development District for a Public school other than an open-enrollment charter school and R-10(A) Single Family District uses on property located on the west line of Franklin Street, south of Gibbs-Williams Road with consideration being given to a Specific Use Permit for a Public school other than an open-enrollment charter school  
Recommendation of Staff: Approval of a Specific Use Permit for a Public school other than an open-enrollment charter school for a permanent time period subject to a site plan and conditions in lieu of the requested Planned Development District  
Recommendation of CPC: Approval, subject to a development plan and conditions  
Z034-153 (RB) [04-1213; **ORDINANCE 25559; CPC RECOMMENDATION FOLLOWED**]
61. An application for a Planned Development District for a Public school other than an open-enrollment charter school and R-7.5(A) Single Family uses on property zoned an R-7.5(A) Single Family District located on the south side of Goldwood Drive, east of Indian Ridge Trail with consideration being given to a Specific Use Permit for a Public school and an ordinance granting a Specific Use Permit for a Public school other than an open-enrollment charter school use  
Recommendation of Staff and CPC: Approval of a Specific Use Permit for a Public school other than an open-enrollment charter school use for a permanent time period subject to a site plan and conditions, in lieu of the requested Planned Development District  
Z034-154 (DW) [04-1214; **ORDINANCE 25560; CPC RECOMMENDATION FOLLOWED**]
62. An application for and an ordinance granting a Planned Development District for a Public school other than an open-enrollment charter school and R-7.5(A) Single Family uses on property zoned an R-7.5(A) Single Family District located on the south side of Keeneland Parkway, east of Cavalcade Drive  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z034-155 (DW) [04-1215; **ORDINANCE 25561; CPC RECOMMENDATION FOLLOWED**]
63. An application for and an ordinance granting a Specific Use Permit for a Public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District located on the northeast corner of Ferguson Road and Plummer Drive  
Recommendation of Staff and CPC: Approval for a permanent time period subject to a site plan and conditions  
Z034-160 (MJF) [04-1216; **ORDINANCE 25562; CPC RECOMMENDATION FOLLOWED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

BENEFIT ASSESSMENT HEARING

64. A benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater main improvements for Street Group 03-438 and upon closure of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with P & E Contractors, Inc., lowest responsible bidder of ten (list attached) - \$262,588 - Financing: 1998 Bond Funds (\$257,763), Water Utilities Capital Construction Funds (\$4,825) **[04-1217; ORDINANCE 25563; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS

65. A public hearing to receive citizens' comments regarding the proposed change of use of 5,000 square feet of park land (floodplain - pending an updated topographic survey) located at the 3600 block of West Lawther Drive, being part of White Rock Lake Park - Financing: This action has no cost consideration to the City **[04-1218; HEARING CLOSED]**

Private Sale of Unimproved Property  
at 3604 Parnell Street

Note: Item Nos. 66 & 67 must be considered collectively.

66. \* A public hearing to receive citizens' comments on the proposed private sale and conveyance by quitclaim deed of an unimproved property located at 3604 Parnell Street acquired by the taxing authorities from the Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization - Financing: No cost consideration to the City **[04-1219; HEARING CLOSED]**
67. \* Authorize the private sale, as provided for by Section 253.010 of the Texas Local Government Code (Section 34.015 of the Texas Property Tax Code), and conveyance by quitclaim deed of an unimproved property located at 3604 Parnell Street acquired by the taxing authorities from a Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization - Revenue: \$2,230 **[04-1219; APPROVED]**

Private Sale of Unimproved Property  
at 5418 Santa Fe Avenue

Note: Item Nos. 68 & 69 must be considered collectively.

68. \* A public hearing to receive citizens' comments on the proposed private sale and conveyance by quitclaim deed of an unimproved property located at 5418 Santa Fe Avenue acquired by the taxing authorities from the Sheriff's Sale to Central Dallas Community Development Corporation, a qualified non-profit organization - Financing: No cost consideration to the City **[04-1220; HEARING CLOSED]**
69. \* Authorize the private sale, as provided for by Section 253.010 of the Texas Local Government Code (Section 34.015 of the Texas Property Tax Code), and conveyance by quitclaim deed of an unimproved property located at 5418 Santa Fe Avenue acquired by the taxing authorities from a Sheriff's Sale to Central Dallas Community Development Corporation, a qualified non-profit organization - Revenue: \$1,000 **[04-1220; APPROVED]**

## ITEMS FOR INDIVIDUAL CONSIDERATION

70. 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) **[04-1221; APPOINTMENTS MADE TO BOARDS]**
71. Authorize the acceptance of a donation from the Hoblitzelle Foundation for the construction of a public entrance to the Community Court located at the Martin Luther King, Jr. Community Center and purchase of security equipment - \$46,756 - Financing: Private Funds **[04-1222; APPROVED]**
72. Authorize (1) a cash match required by the Victim Coordinator and Liaison Grant, administered by the Office of the Attorney General, which funds services to victims of domestic violence for the period September 1, 2003 through August 31, 2005; (2) reducing appropriations in the amount of (\$33,103) in the Victim Coordinator and Liaison Grant Fund - Total not to exceed \$33,103 - Financing: Current Funds (subject to annual appropriations) **[04-1223; APPROVED]**
73. Authorize payment of the final judgment in the lawsuit styled Calvin and Millie Gowen v. City of Dallas, Cause No. 02-7588-J - \$14,625 - Financing: Current Funds **[04-1224; APPROVED]**
74. Authorize payment of a judgment in a lawsuit, styled Janie Faitrouni, Tammy Dewees, and Billy Brumfield v. Christopher Smith and City of Dallas, Cause No. cc-01-11077-b - \$24,777 - Financing: Current Funds **[04-1225; APPROVED]**
75. Authorize settlement of the lawsuit styled Brian Irvin v. L.B. Houston Municipal Golf Course and the City of Dallas, Cause No. 02-05264-I - \$7,500 - Financing: Current Funds **[04-1226; APPROVED]**
76. Authorize settlement of the lawsuit styled, Sonny Morris v. James Walker, Ricardo Rodriguez, Gregory Fanucci, Dallas County, Texas, City of Dallas, Texas, and Terrell Bolton, Cause No. 3:02-CV-2401-P - \$10,000 - Financing: Current Funds **[04-1227; APPROVED]**
77. Authorize settlement of a claim filed by Marilyn McRae, Claim No. 20033505 - \$15,942 - Financing: Current Funds **[04-1228; APPROVED]**
78. Authorize hardship relief for property located at 1050 N. Westmoreland Road #328 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 **[04-1229; APPROVED]**

## ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

79. Authorize hardship relief for property located at 510 W. Commerce 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 **[04-1230; DEFERRED UNTIL 04/28/04]**
80. Authorize a five-month extension of the 1999-2003 Affirmative Action Plan for the period of May 1, 2004 to September 30, 2004, to allow time to develop a professional services contract to address and complete the work required for implementation of the new five-year Affirmative Action Plan - Financing: No cost consideration to the City **[04-1231; APPROVED]**
81. Authorize (1) position additions associated with restructuring the Dallas Police Department's personnel, (2) an increase in appropriations in the amount of \$704,238 in the General Fund revenue budget using Contingency Reserve Funds, and (3) an increase in appropriations in the amount of \$704,238 in the Dallas Police Department's budget to fund these positions and related costs - Not to exceed \$704,238 - Financing: Contingency Reserve Funds **[04-1232; APPROVED]**
82. An ordinance adopting Dallas-Fort Worth International Airport Board Resolution No. 2004-02-28, to amend Chapter 4 of the Airport Board's Code of Rules and Regulations to allow a holder of shared-ride operating authority at the airport to contract with a driver on an independent basis - Financing: No cost consideration to the City **[04-1233; DEFERRED BACK TO TRANSPORTATION & TELECOMMUNICATIONS COMMITTEE]**
83. A resolution reappointing Thomas Malcomb (Mike) Taylor as City Auditor for a two-year term, effective April 14, 2004 - Financing: No cost consideration to the City **[04-1234; APPROVED]**
84. An ordinance amending Chapter 37 of the Dallas City Code to allow the Chief of Police to authorize a reserve police officer who is a peace officer under Article 2.12, Texas Code of Criminal Procedure, to carry a weapon or act as a peace officer at all times - Financing: No cost consideration to the City **[04-1235; ORDINANCE 25564; APPROVED]**

## ITEMS FOR FURTHER CONSIDERATION

85. Authorize (1) establishment of a Minor Rental Repair Program to provide loans up to \$5,000 for the exterior repair of single-family renter-occupied housing; and (2) the Program Statement for implementation in Neighborhood Investment Program Target Areas - Financing: No cost consideration to the City **[04-1236; APPROVED]**
86. 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 **[04-1237; APPROVED AS CORRECTED ON THE ADDENDUM]**

## ADDENDUM

### ADDITIONS:

Closed Session **[04-1238; CLOSED SESSION HELD]**

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

- Legal issues involving the Ampco Parking agreement
- Legal issues related to TXU Gas pending rate case (Railroad Commission of Texas Gas Utility Docket No. 9400), and TXU Gas' use of the public rights-of-way in the City
- Legal issues involving the Fake Drugs Investigation
- Legal issues involving Reserve Police Officers
- EPA Administrative Order, Docket Nos. CWA-06-2004-1911 and RCRA-06-2004-0907 regarding Stormwater
- Reata Construction Corp. v. City of Dallas, Cause No. 02-1031
- Jill Muncy, et al. v. City of Dallas, et al., Civil Action No. 3:99-CV-2960-P consolidated with Robert Jackson, et al. v. City of Dallas, et al., Civil Action No. 3:00-CV-588-H
- City of Dallas v. Explorer Pipeline Co., et al., Cause No.00-9678-H
- The Environmental Conservation Organization v. City of Dallas, Cause No. 3:03-CV-2951-M
- City of Dallas v. Ali A. Heidari and Old Warsaw Restaurant, Inc., Cause No. 02-01291-E

### CONSENT ADDENDUM

#### AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

##### Engineering and Architectural Contracts

1. Authorize a professional services contract for analysis and planning, conceptual design, schematic design, design development and preparation of construction drawings, specifications and documentation for the erosion control, storm water management and restoration of the Bush and Woodland exhibits at the Dallas Zoo located at 1021 S. Ewing - Halff Associates, Inc. - \$459,570 - Financing: Current Funds (to be reimbursed from the Storm Water Drainage Management Fund)  
**[04-1239; APPROVED AS AN INDIVIDUAL ITEM]**

## **ADDENDUM**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

### Engineering and Architectural Contracts (Continued)

2. Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc., to provide a survey of the Gorilla Exhibit at the Dallas Zoo located at 1021 S. Ewing - \$95,750 - Financing: 1998 Bond Funds **[04-1240; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize a professional services contract with Talley Associates to provide conceptual master planning, design development and construction documentation for two mini parks located near the intersection of Grand and Malcolm X and Bexar and Starks - \$34,175 - Financing: 2003 Bond Funds **[04-1241; APPROVED]**

### Authorization of Contracts

4. Authorize a contract for playground replacement, site furnishings and landscaping at St. Francis Park located at 2000 St. Francis - Hardscape Construction Specialties, Inc., lowest responsible bidder of eight - \$70,143 - Financing: 1998 Bond Funds **[04-1242; APPROVED]**
5. Authorize a contract for Asphaltic Concrete Street Resurfacing Group 1 for 2004 on various improved streets (list attached) - JRJ Paving, LP, lowest responsible bidder of five - \$5,186,375 - Financing: 2003 Bond Funds (\$5,010,270), Water Utilities Capital Construction Funds (\$176,105) **[04-1243; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a contract for Asphaltic Concrete Street Resurfacing Group 2 for 2004 on various improved streets (list attached) - JRJ Paving, LP, lowest responsible bidder of five - \$4,582,912 - Financing: 2003 Bond Funds (\$4,487,782), Water Utilities Capital Construction Funds (\$95,130) **[04-1244; APPROVED]**

### Construction Miscellaneous

7. Authorize the rejection of bids for demolition related to the redevelopment of the Interurban Building at 1500 Jackson Street and the re-advertisement for new bids - Financing: No cost consideration to the City **[04-1245; APPROVED]**



## **ADDENDUM**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

### LAND ACQUISITION

8. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Main Street Investors Joint Venture, Ltd. of a pedestrian easement containing approximately 1,150 square feet of land improved with a 2-story commercial building located near the intersection of Main and Ervay Streets, for the Main-Commerce Pedestrian Way project - \$219,100 - Financing: City Center TIF District Funds **[04-1246; APPROVED AS AN INDIVIDUAL ITEM]**
9. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pacifico Partners, Ltd. of a pedestrian easement containing approximately 1,150 square feet of land located near the intersection of Commerce and Ervay Streets, for the Main-Commerce Pedestrian Way project - \$27,600 - Financing: City Center TIF District Funds **[04-1247; APPROVED AS AN INDIVIDUAL ITEM]**

### RATIFICATION OF EMERGENCY PURCHASE

10. Ratify an emergency services month-to-month concession services contract with Parking Company of America - Dallas, Inc. for parking management services at Dallas Love Field - Not to exceed \$400,000 - Financing: Aviation Current Funds **[04-1248; APPROVED]**

### MISCELLANEOUS

11. An ordinance amending Chapter 2 of the Dallas City Code to prohibit members of the Dallas Commission on Productivity and Innovation from having financial interest in City contracts - Financing: No cost consideration to the City **[04-1249; ORDINANCE 25565; APPROVED]**
12. Authorize the acceptance of a matching grant from the United States Department of Interior National Park Service and the execution of the cooperative agreement to receive Groundwork USA Pilot Funding and Technical Assistance for the development of a non-profit organization to assist communities impacted by brownfields and other derelict land issues to improve their quality of life and encourage economic regeneration through the development and stewardship of park land recreation areas, nature reserves, trail systems and other environmental improvements - \$125,000 - Financing: U.S. Department of Interior National Park Service Funds (\$100,000) and Private Funds (\$25,000) **[04-1250; APPROVED]**

## **ADDENDUM**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

13. Authorize a Memorandum of Understanding with Oncor which states that the City and Oncor anticipate and desire to continue to work towards mutually agreeable and beneficial solutions to address issues concerning power transmission lines in the Trinity River Corridor - Financing: No cost consideration to the City **[04-1251; APPROVED]**
14. Authorize acceptance for refinements to the "Balanced Vision Plan" for the Trinity River Corridor Project to be included as a supplement to the Master Implementation Plan to guide future planning of the project - Financing: No cost consideration to the City **[04-1252; APPROVED]**

### ITEMS FOR INDIVIDUAL CONSIDERATION

15. Authorize settlement of the lawsuit styled Emmett Gotcher and American Casualty Co. as Subrogee of Emmett Gotcher, III v. City of Dallas and Daniel Smith, Cause No. 03-03002-G - \$85,000 - Financing: Current Funds **[04-1253; APPROVED]**
16. Authorize settlement of the lawsuit styled Peggy J. Veno v. City of Dallas, Cause No. 02-05134-G - \$18,000 - Financing: Current Funds **[04-1254; APPROVED]**
17. Authorize settlement of a lawsuit styled Jerry Goble, Sr. v. Timothy Tucker and City of Dallas, Cause No. 02-10680-E - \$49,000 - Financing: Current Funds **[04-1255; APPROVED]**
18. Authorize a resolution supporting a continued presence and possible expansion of the U.S. Army and U.S. Air Force Exchange Service in Dallas, Texas - Financing: No cost consideration to the City **[04-1256; APPROVED]**
19. Authorize an amendment to the 2004 City Calendar to change the City Council meeting start time from 10:00 a.m. to 9:00 a.m. for meetings beginning in May through October - Financing: No cost consideration to the City (via Mayor Miller) **[04-1257; APPROVED]**
20. Authorize the issuance of industrial revenue bonds by the Texas Regional Development Corporation in an amount not to exceed \$5,000,000, for benefit of Recycle to Conserve, TX, Inc., a wholly owned subsidiary of Scope Industries, Inc. - Financing: No cost consideration to the City **[04-1258; APPROVED]**

## **ADDENDUM**

### **CORRECTION:**

86. Authorize the quitclaim of ~~46~~ 15 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: ~~\$355,848~~ \$345,462 **[04-1237]**

### **DELETION:**

38. An ordinance authorizing a correction to Ordinance No. 24671 for an amendment to Planned Development District No. 598 for Mixed Uses to create a new Tract IIA for MU-1 Mixed Use District Uses on property located on the north side of IH20 between Hampton Road and Polk Street to correct the omission of a City Plan Commission and City Council approved Tract IIA landscape plan (Z001-117) - Financing: No cost to consideration to the City **[04-1190]**