

AGENDA
CITY COUNCIL MEETING
MAY 26, 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) **[04-1675]**

Agenda Item/Open Microphone Speakers **[04-1676]**

VOTING AGENDA

1. Approval of Minutes of the May 12, 2004 City Council Meeting **[04-1677; APPROVED]**

CONSENT AGENDA **[04-1678]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. to provide for pre-design and schematic design at Lake Cliff Park located at 300 E. Colorado Boulevard - \$61,215 - Financing: 2003 Bond Funds **[04-1679; APPROVED]**

CONSENT AGENDA (Continued)
AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)
Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Lopez Garcia Group to provide topographic surveying and mapping, construction documents for a new parking lot, renovations to the existing parking lot, athletic field renovations, site assessment, and site and athletic field lighting at Beckley-Saner Park located at 114 West Hobson - \$52,945 - Financing: 2003 Bond Funds **[04-1680; APPROVED]**
4. Authorize a professional services contract with David C. Baldwin, Inc. to provide for topographic survey, conceptual and planning phase, design phase and construction documents for a new playground, access walks and site furnishings at Westmoreland Park located at 3600 W. Illinois Avenue - \$15,960 - Financing: 2003 Bond Funds **[04-1681; APPROVED]**
5. Authorize a professional services contract with Carter & Burgess, Inc. to provide preliminary engineering and environmental services for bicycle and pedestrian enhancements on Phase I of the East Dallas VeloWay (Tenison Trail) from Winsted Drive to Glasgow Street - \$156,113 - Financing: 2003 Bond Funds (\$124,890 to be reimbursed by the Texas Department of Transportation) **[04-1682; APPROVED]**
6. Authorize a professional services contract with Nathan D. Maier Consulting Engineering, Inc. to provide preliminary engineering services for bicycle and pedestrian enhancements on Phase II of the East Dallas VeloWay (Tenison Trail) from Glasgow Street to Exposition Street - \$77,100 - Financing: 2003 Bond Funds **[04-1683; APPROVED]**
7. Authorize a professional services contract with Williams-Russell and Johnson, Inc. for the design of streetscape and infrastructure improvements including intersection improvements, sidewalks, curb and gutter replacements, and water and wastewater main improvements on Bexar Street from the C. F. Hawn (U.S. 175) service road to Brigham Lane - \$171,627 - Financing: 2000-01 Walker Consent Decree Funds (\$147,013), Water Utilities Capital Construction Funds (\$24,614) **[04-1684; APPROVED AS AN INDIVIDUAL ITEM]**

Authorization of Contracts

8. Authorize a contract with Eliseo Garcia dba "Eliseo" to design, fabricate and install an artwork at Sammons Center for the Arts located at 3630 Harry Hines Blvd - Not to exceed \$80,000 - Financing: Water Utilities Public Art Funds **[04-1685; APPROVED]**

Contract Amendments

9. Authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc. for design revisions to the pre-final plans for the Gilford/Roanoke Drainage Relief project - \$83,400, from \$290,000 to \$373,400 - Financing: 1995 Bond Funds **[04-1686; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

10. Authorize Supplemental Agreement No. 12 to the contract with Carter & Burgess, Inc. for additional design and construction administration services for the preparation of construction drawings and specifications for additional scope of work on the heating, ventilation and air conditioning system in the terminal building at Dallas Love Field - \$382,926, from \$4,071,884 to \$4,454,810 - Financing: Aviation Capital Construction Funds (\$222,020), Federal Aviation Administration Grant Funds (\$160,906) **[04-1687; APPROVED]**
11. Authorize (1) Supplemental Agreement No. 15 to the contract with Hunt Construction Group, Inc. for the Love Field Parking Garage A Structural Repair Project, to increase the Guaranteed Maximum Price in an amount not to exceed \$450,000, from \$56,134,446 to \$56,584,446, increasing the total contract from \$57,288,611 to \$57,738,611, and (2) an increase in the contract with North Texas Bomanite, Inc. for the Love Field Garage A Structural Repair Project in an amount not to exceed \$369,885, from \$2,494,562 to \$2,864,447, within the Guaranteed Maximum Price - Total not to exceed \$450,000 - Financing: Aviation Capital Construction Funds **[04-1688; APPROVED]**
12. Authorize an increase in the contract with Palco Enterprises, Inc. for improvements to Shed No. 3 at Dallas Farmers Market - \$39,995, from \$164,685 to \$204,680 - Financing: Convention and Event Services Capital Construction Funds **[04-1689; APPROVED]**

Construction Miscellaneous

La Reunion Parkway from 140 feet east Note: Item Nos. 13 & 14 must be of dead end to French Settlement Road considered collectively.

13. * Authorize an Interlocal Agreement with Dallas Area Rapid Transit for participation in the design and construction of paving and water main improvements on La Reunion Parkway from 140 feet east of dead end to French Settlement Road and on French Settlement from La Reunion Parkway to 350 feet north - \$1,250,500 - Financing: 2003 Bond Funds (\$201,562), Water Utilities Capital Improvement Funds (\$475,000), Private Funds (\$573,938 to be reimbursed upon the issuance of November 2004 General Obligation Bonds) **[04-1690; APPROVED]**
14. * Authorize (1) a Participation Agreement with Petula Associates, Ltd. for the design and construction of paving and water main improvements on La Reunion Parkway from 140 feet east of dead end to Pipestone Road, (2) the receipt and deposit of funds from Petula Associates, Ltd. in an amount not to exceed \$573,938, and (3) the establishment of appropriations in the amount of \$573,938 in the Capital Projects Reimbursement Fund - Total not to exceed \$573,938 - Financing: Private Funds **[04-1691; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION

15. Authorize a settlement in lieu of proceeding with condemnation of Larry A. Koehler for acquisition of a tract of land containing approximately 36 acres for the Trinity River Corridor project located near the intersection of Pemberton Hill Road and Sarah Lee Drive - \$108,000 - Financing: 1998 Bond Funds **[04-1692; APPROVED]**

LAND MISCELLANEOUS

16. A resolution declaring approximately 8 acres of vacant City-owned land located near the intersections of Iroquois and Fannie Streets and Ingersoll Street and Chippewa Drive unwanted and unneeded and authorize the private sale through the Land Transfer Program to Builders of Hope Community Development Corporation, a qualified non-profit organization, for the development of low and moderate income affordable housing - Revenue: \$10 **[04-1693; REFERRED TO THE HOUSING AND NEIGHBORHOOD DEVELOPMENT COMMITTEE]**
17. An ordinance abandoning a water easement to Piedmont Lakeland Partners, L.P., the abutting owner, containing approximately 2,893 square feet of land located near the intersection of Lakeland Drive and Ferguson Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[04-1694; ORDINANCE 25597; APPROVED]**
18. An ordinance granting a license to Voice Publishing Company, Inc. to install, operate and maintain self-service newsracks for the distribution of publications on street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee **[04-1695; ORDINANCE 25598; APPROVED]**
19. An ordinance granting a license to Network Communications, Inc. to install, operate and maintain self-service newsracks for the distribution of publications on street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee **[04-1696; ORDINANCE 25599; APPROVED]**
20. Authorize a first amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to renew and extend the lease for approximately 200 square feet of office space in the deHaro-Saldivar Health Center at 1400 N. Westmoreland Road to be used as a Women, Infants and Children clinic for the period June 15, 2004 through June 14, 2011 - Not to exceed \$19,250 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations) **[04-1697; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

21. Authorize (1) a five-month holdover period through June 14, 2004 and (2) a first amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to renew and extend the lease for approximately 984 square feet of office space located in the Southeast Health Center at 9202 Elam Road, to be used as a Women, Infants and Children clinic for the period January 15, 2004 through June 14, 2004 in the amount of \$4,166 and for the period June 15, 2004 through June 14, 2011 in the amount of \$94,710 - Total not to exceed \$98,876 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations) **[04-1698; APPROVED]**
22. Authorize a second amendment to the lease agreement with Jay Elins to renew and extend the lease for approximately 4,017 square feet of building space located at 2233 Valdina Street, Suite 103 to be used by the Women, Infants, and Children Program as a central supply storage facility for the period July 1, 2004 through June 30, 2008 - Not to exceed \$104,429 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations) **[04-1699; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

Online E-Pay Payment System

Note: Item Nos. 23 & 24 must be considered collectively.

23. * Authorize an amendment to the contract with Bearing Point (formerly KPMG Consulting, Inc.) for (1) use of the City's e-government website with Texas On-Line for thirty-six months until May 31, 2007, (2) negotiated annual fees for Water Utilities Department bill payment via the City's website for a variable annual charge for the next three years - Not to exceed \$1,588,673 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[04-1700; APPROVED]**
24. * Authorize the addition of the Department of Development Services to use the e-government website Texas Online E-Pay Payment System for the Land Management System - Not to exceed \$45,947 - Financing: Building Inspection Current Funds (subject to annual appropriations) **[04-1701; APPROVED]**
25. Authorize a thirty-six-month price agreement for library books with the lowest responsible bidder of four - Ingram Library Services, Inc. - Not to exceed \$5,787,120 - Financing: Current Funds **[04-1702; APPROVED]**
26. Authorize the purchase of grounds maintenance equipment from the lowest responsible bidders of five - Richardson Saw & Lawnmower, Co., Inc., Professional Turf Products, LP, Luber Bros. Inc., Tom Loftus Inc. dba Austin Turf & Tractor, Jones Equipment & Turf, Inc. - Not to exceed \$269,124 - Financing: Current Funds (\$62,700), Golf Improvement Trust Funds (\$200,459), Dallas Zoo Trust Funds (\$5,965) **[04-1703; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

27. Authorize a thirty-six-month price agreement for reflective and non-reflective sheeting for signs with the lowest responsible bidder of four - 3M Co. - Not to exceed \$213,583 - Financing: Current Funds **[04-1704; APPROVED AS AN INDIVIDUAL ITEM]**
28. Authorize the purchase of a truck-mounted vacuum excavator from the only bidder - Miller Pipeline Corp. - Not to exceed \$143,500 - Financing: Water Utilities Current Funds **[04-1705; APPROVED]**

MISCELLANEOUS

29. Authorize settlement of the lawsuit styled Atlantic Mutual Insurance Co. and National Presort, Inc. v. City of Dallas and Marcelo Magana, Cause No. 04-00573-D - \$15,237 - Financing: Current Funds **[04-1706; APPROVED]**
30. Authorize settlement of the lawsuit styled Jesus R. Rodriguez v. Kevin L. Mackey and City of Dallas, Cause No. cc-03-05404-a - \$9,000 - Financing: Current Funds **[04-1707; APPROVED]**
31. Authorize settlement of the lawsuit styled Raul Arrambide v. Clifton McGee and the City of Dallas, Cause No. 03-02778-C - \$7,500 - Financing: Current Funds **[04-1708; APPROVED]**
32. Authorize a replacement housing payment for homeowner, Donnie Mae Brown, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$72,500 - Financing: 2003-04 Community Development Grant Funds **[04-1709; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowner, Ruby L. Bagley, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 2001-02 Community Development Grant Funds (\$32,500) and 2003-04 Community Development Grant Funds (\$22,500) **[04-1710; APPROVED AS AN INDIVIDUAL ITEM]**
34. Authorize an increase in the replacement housing payment for homeowner, Louise Warren, due to the inability to find a decent, safe and sanitary replacement house for the \$22,500 replacement housing payment previously authorized on April 12, 2000 by Resolution No. 00-1168 - Not to exceed \$50,000, from \$22,500 to \$72,500 - Financing: 2003-04 Community Development Grant Funds **[04-1711; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

35. An ordinance amending Ordinance No. 23521 previously approved on May 27, 1998 to modify the By-Laws for Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), to acknowledge Dallas County and Dallas County Hospital District's waiver of their appointees to the Farmers Market TIF District Board of Directors, to increase the number of City Council appointed Board of Directors from five to seven, to redefine a quorum as a majority currently appointed to the Board of Directors, and approving the corresponding changes to the By-Laws of the Farmers Market TIF District Board of Directors as originally adopted by Resolution No. 02-1615 on May 22, 2002 - Financing: No cost consideration to the City **[04-1712; ORDINANCE 25600; APPROVED]**

36. Authorize the acceptance of corrected deed restrictions volunteered by the applicant to prohibit a residential hotel on property located on the east corner of East Ledbetter Drive and Haas Road (Z978-253) - Financing: No cost consideration to the City **[04-1713; DELETED ON THE ADDENDUM]**

37. Authorize amendments to Resolution No. 03-2455, previously approved on September 10, 2003, for the funding of environmental remediation, demolition, facade restoration, design and construction of certain public improvements related to a pedestrian access-way through 1608 Main Street, and other improvements related to the redevelopment of 1608 Main Street to extend the project deadlines and clarify maintenance and security responsibilities - Financing: No cost consideration to the City **[04-1714; APPROVED]**

38. An ordinance amending Chapter 52 of the Dallas City Code to provide administrative provisions for the construction codes, including their application to existing structures and industrialized structures; exempting certain types of work from construction permit requirements; providing requirements for seals of certain design professionals on construction work; and providing quorum and voting requirements for the Building Inspection Advisory, Examining, and Appeals Board - Financing: No cost consideration to the City **[04-1715; ORDINANCE 25601; APPROVED AS AN INDIVIDUAL ITEM]**

39. An ordinance amending Chapters 53 and 57 of the Dallas City Code to adopt the 2000 International Building Code, with local amendments, and to make corresponding amendments to the Dallas One- and Two-Family Dwelling Code - Financing: No cost consideration to the City **[04-1716; ORDINANCE 25602; APPROVED AS AN INDIVIDUAL ITEM]**

40. An ordinance amending Chapter 54 of the Dallas City Code to adopt the 2000 International Plumbing Code, with local amendments - Financing: No cost consideration to the City **[04-1717; ORDINANCE 25603; APPROVED AS AN INDIVIDUAL ITEM]**

41. An ordinance amending Chapter 55 of the Dallas City Code to adopt the 2000 International Mechanical Code, with local amendments - Financing: No cost consideration to the City **[04-1718; ORDINANCE 25604; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

42. An ordinance amending Chapter 56 of the Dallas City Code to adopt the 2002 National Electrical Code, with local amendments - Financing: No cost consideration to the City **[04-1719; ORDINANCE 25605; APPROVED AS AN INDIVIDUAL ITEM]**
43. An ordinance adding Chapter 58 to the Dallas City Code to adopt the 2003 International Existing Building Code, with local amendments - Financing: No cost consideration to the City **[04-1720; ORDINANCE 25606; APPROVED AS AN INDIVIDUAL ITEM]**
44. An ordinance adding Chapter 60 to the Dallas City Code to adopt the 2000 International Fuel Gas Code, with local amendments - Financing: No cost consideration to the City **[04-1721; ORDINANCE 25607; APPROVED AS AN INDIVIDUAL ITEM]**
45. Authorize the adoption of a policy for Environmentally Preferred Purchasing to provide good stewardship of the environment by purchasing products or services that have a lesser impact on human health and the environment - Financing: No cost consideration to the City **[04-1722; APPROVED]**
46. Authorize an Interlocal Agreement with Denton County for reimbursement of costs associated with ambulance and related services within Denton County from October 1, 2003 through September 30, 2004 - Revenue: \$11,967 **[04-1723; APPROVED]**
47. Authorize an amendment to the contract with Deloitte Consulting Outsourcing, LLC (formerly Deloitte & Touche, LLP), for the purchase of additional disk storage space for the Human Resources Information System - Not to exceed \$17,718 - Financing: Current Funds **[04-1724; APPROVED]**
48. Authorize (1) the acceptance of \$27,300 from the Dallas Housing Finance Corporation for the People Helping People Program and (2) an increase in the contract with Care Construction and Remodeling, Inc., in the amount of \$27,300 to provide services for low-to-moderate income owner-occupant households in need of minor home repairs to address health and/or safety concerns such as handicap accessibility ramps, porch repairs and, handrails, etc. - Total not to exceed \$27,300 - Financing: Dallas Housing Finance Corporation Grant Funds **[04-1725; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

49. Authorize (1) a contract with the Dallas Housing Acquisition and Development Corporation (DHADC) to provide operational funding not to exceed \$480,000 for (a) implementation of the Dallas Urban Land Bank Demonstration Program and (b) acquisition by DHADC of non-land bank qualified properties for affordable housing development; (2) amendments to the Program Statement for the Dallas Urban Land Bank Demonstration Program allowing the DHADC to (a) bid on tax foreclosed properties at the Sheriff Sale to the public and (b) purchase non-land bank qualified properties; (3) an amendment to the Program Statement for the Residential Development Acquisition Loan Program authorizing the DHADC to utilize Program funds for acquisition of non-land bank qualified properties for affordable housing development; and (4) disbursement of up to \$265,000 in 2003 General Obligation Bonds proceeds for the acquisition of property by the land bank for affordable housing development - Total not to exceed \$745,000 - Financing: Current Funds (\$180,000), 2002-03 Community Development Grant Funds (\$300,000), and 2003 Bond Funds (\$265,000) **[04-1726; APPROVED]**
50. Authorize the Dallas Public Library to annually apply for membership in the Texas Library System - Financing: No cost consideration to the City **[04-1727; APPROVED]**
51. Authorize a public hearing to be held on June 9, 2004 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 **[04-1728; APPROVED]**
52. Authorize payment to the North Central Texas Regional Certification Agency for annual membership dues for the period of January 1, 2004 through December 31, 2004 - Not to exceed \$28,600 - Financing: Current Funds **[04-1729; APPROVED]**
53. Authorize (1) a public hearing to be held on June 9, 2004 to receive citizens' comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law, and (2) at the close of the public hearing, consideration of the readoption of Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City **[04-1730; APPROVED]**
54. Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad grant in the amount of \$429,000 to provide a specialized proactive automobile theft program, from the Texas Automobile Theft Prevention Authority, for a total amount of \$973,703, for the period September 1, 2004 through August 31, 2005 (local match in the amount of \$66,459, or 7% of all expenses, will be required if awarded and In-Kind contributions in the amount of \$478,244, will be contributed by the Dallas Police Department) - Financing: This action has no cost consideration to the City **[04-1731; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

55. Authorize an Interlocal Agreement with the North Texas Police Chiefs' Association for continued participation in the Greater Dallas-Fort Worth Regional Law Enforcement Mutual Aid Task Force for the investigation of criminal activity and enforcement within the state of Texas for the period June 11, 2004 through June 10, 2005 - Financing: No cost consideration to the City **[04-1732; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [04-1733]

56. An application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses, and the uses allowed in the LO-1-D Limited Office District with a Dry Liquor Control Overlay and the NO(A) Neighborhood Office District with retention of Specific Use Permit No. 728 for a hospital, on property zoned an LO-1-D Limited Office District with a Dry Liquor Control Overlay and an NO(A) Neighborhood Office District, northeast of the intersection of Abrams Road and Glasgow Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-142 (MM) **[04-1734; ORDINANCE 25608; APPROVED AS AMENDED]**
57. An application for and an ordinance granting a CS Commercial Service District on property zoned an R-7.5(A) Single Family District on the north side of Lawson Road, northeast of Lasater Road and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-167 (RB) **[04-1735; ORDINANCE 25609; CPC RECOMMENDATION FOLLOWED]**
58. An application for and an ordinance granting a Specific Use Permit for a Private Street or Alley use on property zoned an R-7.5(A) Single Family District, on the northwest side of Ferguson Road, between Dorrington Drive and St. Francis Street
Recommendation of Staff and CPC: Approval, for a permanent time period, subject to a site plan and conditions
Z034-187 (MM) **[04-1736; ORDINANCE 25610; CPC RECOMMENDATION FOLLOWED]**
59. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District and an NS(A)-D-1 Neighborhood Service District with a Dry-1 Liquor Control Overlay, on the north side of South Belt Line Road, between Garden Grove Road and Vida Court
Recommendation of Staff and CPC: Approval
Z034-191 (WE) **[04-1737; ORDINANCE 25611; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

60. An application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an LI-D-1 Light Industrial District with a Dry-1 Liquor Control Overlay and a P(A) Parking District, on the southwest corner of Hoyle Road and Delafield Lane and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, with retention of the D-1 Liquor Control Overlay, subject to deed restrictions volunteered by the applicant
Z034-193 (WE) [04-1738; ORDINANCE 25612; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

61. An application for and an ordinance granting an amendment to Planned Development District No. 618 for a Public School Use other than an Open Enrollment Charter School and TH-3 Townhouse District uses on the east side of Audelia Road, south of Walnut Street and north of Forest Lane
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-185 (MM) [04-1739; ORDINANCE 25613; CPC RECOMMENDATION FOLLOWED]

MISCELLANEOUS HEARINGS

Incentives for Lavoι Corporation
dba EPI Breads

Note: Item Nos. 62 & 63 must be considered collectively.

62. * A public hearing to receive citizens' comments on the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code as revised effective September 1, 2003 and the Enterprise Zone Project nomination of Lavoι Corporation dba EPI Breads at 4710 W. Ledbetter Drive - Financing: No cost consideration to the City **[04-1740; HEARING CLOSED]**
63. * An ordinance authorizing (1) participation in Texas Enterprise Zone Program, (2) revision of Public Private Partnership Guidelines to add one new unique incentive for enterprise zone projects, (3) designation of a liaison for communication with interested parties, and (4) nomination of Lavoι Corporation dba EPI Breads at 4710 W. Ledbetter as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City **[04-1740; ORDINANCE 25614; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Creation of Reinvestment Zone No. 60

Note: Item Nos. 64, 65, & 66 must be considered collectively.

64. * A public hearing to receive citizens' comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 60, including property at 4710 W. Ledbetter Drive in Dallas for the purpose of granting a real property tax abatement to Lavoii Corporation dba EPI Breads - Financing: No cost consideration to the City **[04-1741; DEFERRED UNTIL 06/09/04]**
65. * An ordinance designating property at 4710 W. Ledbetter Drive in Dallas, Texas, as City of Dallas Reinvestment Zone No. 60, for the purpose of granting a real property tax abatement to Lavoii Corporation dba EPI Breads establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City **[04-1741; DEFERRED UNTIL 06/09/04]**
66. * Authorize a business personal property tax abatement agreement with Lavoii Corporation dba EPI Breads for the purpose of granting a five-year abatement of 50 percent of the taxes on added value to the business personal property at 4710 W. Ledbetter Drive - Revenue: First year tax revenue estimated at \$7,509; Five-year tax revenue estimated at \$37,544; (Estimated revenue foregone for five-year business personal property abatement is \$37,544) **[04-1742; DEFERRED UNTIL 06/09/04]**

ITEMS FOR INDIVIDUAL CONSIDERATION

67. 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) **[04-1743; NO APPOINTMENTS TO BOARDS; CODE OF ETHICS REPORT]**
68. Authorize hardship relief for property located at 2347 Langford 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 **[04-1744; DEFERRED UNTIL 06/09/04]**
69. Authorize the Retail Recruitment Initiative Criteria establishing the Implementation Policy for the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City **[04-1745; DELETED ON THE ADDENDUM]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

70. Authorize a grant agreement with Davis Building Master Tenant LLP pursuant to the City of Dallas Main Street District Initiative Chapter 380 Loan and Grant Program for tenant improvements in the amount of \$300,000 and rent subsidy for twenty-four months in the amount of \$326,124 for Kül Creative LLC dba Kül Design Studios - Total not to exceed \$626,124 - Financing: Public/Private Partnership Funds **[04-1746; DELETED ON THE ADDENDUM]**
71. An ordinance adopting the 2000 International Fire Code with amendments as the Dallas Fire Code - Financing: No cost consideration to the City **[04-1747; ORDINANCE 25615; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

72. Authorize an Historic Development 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 **[04-1748; DEFERRED UNTIL 08/25/04]**

ADDENDUM

ADDITIONS:

Closed Session **[04-1749; CLOSED SESSION HELD]**

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

- William Bates, Jr. v. Edward Parker and Henry Blaine Dickens,
Cause No. 3:00-CV-1918-P
- Greenstar, Inc. v. City of Dallas and Terrell Bolton, Cause No. DV-01-05718-D
- City of Dallas v. Thurston Robinson, Individually and d/b/a Planet Venus,
Santa Fe Cabaret, LLC d/b/a Santa Fe Cabaret, Curtis Wise, Individually,
and 3027 W. Northwest Hwy, Dallas, Texas, Cause No. 04-01878-C

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize **(1)** a contract for the construction of a new air traffic control tower, air terminal administration building and aircraft parking apron at Dallas Executive Airport with Meridian Commercial, L.P., lowest responsible bidder of five in an amount not to exceed \$5,658,000, and **(2)** the establishment of appropriations in the amount of \$7,070,560 in the Texas Department of Transportation Airport Improvement Program Funds - Total not to exceed \$5,658,000 - Financing: Aviation Capital Construction Funds (\$3,845,521), Texas Department of Transportation Airport Improvement Program Funds (\$1,812,479) **[04-1750; APPROVED]**
2. Authorize **(1)** a contract for selective demolition and environmental remediation related to the redevelopment of 1530 Main Street (Dallas National Bank Building) with ARC Abatement I Ltd., lowest responsible bidder of four, in an amount not to exceed \$462,529; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; and **(3)** payment to Dunhill 1530 Main LP in an amount not to exceed \$237,471 for design, reimbursables and construction management - Total not to exceed \$700,000 - Financing: City Center TIF District Funds **[04-1751; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

3. Authorize a professional services contract with Lena Levario, Attorney at Law for an independent investigation of the City's fake drug issues - \$50,000 - Financing: Current Funds **[04-1752; APPROVED]**
4. Authorize a professional services contract with the law firm of Munsch Hardt Kopf & Harr for an independent investigation of the City's fake drug issues - \$125,000 - Financing: Current Funds **[04-1753; APPROVED]**
5. Authorize settlement of the lawsuit styled Thomas Wayne Williams v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1662-H - \$40,000 - Financing: Current Funds **[04-1754; APPROVED]**
6. Authorize an amendment to Resolution No. 03-1723, previously approved on June 11, 2003, as amended, and Resolution No. 04-1455, previously approved on April 28, 2004 for the funding of environmental remediation, demolition, facade restoration, a fire access corridor, streetscape improvements, and other authorized improvements related to the redevelopment of 1530 Main Street and 1524 Main Street (Eureka Hotel) to **(1)** consolidate the development agreements for administrative and reimbursement purposes; and **(2)** increase the early reimbursement in the amount of \$1,255,000, from \$745,000 to \$2,000,000 for environmental remediation and demolition - Financing: No additional cost consideration to the City **[04-1755; APPROVED]**
7. Authorize City staff to **(1)** initiate a search, and assist in the creation of a non-profit public benefit corporation; and **(2)** enter into negotiations with that non-profit corporation for the management of the Trinity Equestrian Center - Financing: No cost consideration to the City **[04-1756; APPROVED]**

ADDENDUM

DELETIONS

36. Authorize the acceptance of corrected deed restrictions volunteered by the applicant to prohibit a residential hotel on property located on the east corner of East Ledbetter Drive and Haas Road (Z978-253) - Financing: No cost consideration to the City **[04-1713]**

69. Authorize the Retail Recruitment Initiative Criteria establishing the Implementation Policy for the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City **[04-1745]**

70. Authorize a grant agreement with Davis Building Master Tenant LLP pursuant to the City of Dallas Main Street District Initiative Chapter 380 Loan and Grant Program for tenant improvements in the amount of \$300,000 and rent subsidy for twenty-four months in the amount of \$326,124 for Kül Creative LLC dba Kül Design Studios - Total not to exceed \$626,124 - Financing: Public/Private Partnership Fun **[04-1746]**