

AGENDA
CITY COUNCIL MEETING
JUNE 9, 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) **[04-1800]**

Agenda Item/Open Microphone Speakers **[04-1801]**

VOTING AGENDA

1. Approval of Minutes of the May 26, 2004 City Council Meeting **[04-1802; APPROVED]**

CONSENT AGENDA **[04-1803]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Camargo Copeland Architects, LLP for renovation of the building located at 1600 South Lamar Street for the Police Quartermaster - \$91,427 - Financing: 1998 Bond Funds **[04-1804; APPROVED]**

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

3. Authorize a professional services contract with Williams, Russell and Johnson, Inc., for renovation of the 5th Floor at the J. Erik Jonsson Library located at 1515 Young Street - \$106,000 - Financing: 1998 Bond Funds **[04-1805; APPROVED]**
4. Authorize **(1)** a professional services contract with Lopez Garcia Group to provide preliminary plans, conduct public meetings, community involvement and construction documents for the dredging, erosion control and site improvements to Blackburn (intersection of Blackburn Street and Turtle Creek Boulevard) and Stonebridge (intersection of Stonebridge Drive east of Turtle Creek Boulevard) ponds within the Turtle Creek Parkway; and **(2)** an increase in appropriations in the amount of \$80,000 in the Capital Gifts, Donation and Development Fund - Total not to exceed \$149,356 - Financing: Capital Gifts, Donation and Development Funds (\$80,000) and 1998 Bond Funds (\$69,356) **[04-1806; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize a professional services contract with Marcel Quimby Architecture Preservation, Inc. to provide a master plan, surveying and schematic design for restoration of the pavilion, site lighting, addition of drinking fountains, exterior renovation of the bathhouse, plaza and sidewalk improvements, perimeter trail, additional benches, replacement of temporary toilets, improved pool enclosure and additional landscaping at Tietze Park located at 2700 Skillman Street - \$20,240 - Financing: 2003 Bond Funds **[04-1807; APPROVED]**
6. Authorize a professional services contract with Dan Shipley Architects, Inc. to provide pre-design, schematic design, design development, construction documents, bidding and construction administration for the removal and replacement of a medium-sized pavilion at Valley View Park located at 7000 Valley View Park - \$16,350 - Financing: 2003 Bond Funds **[04-1808; APPROVED]**
7. Authorize a professional services contract with DSGN Associates, Inc. to provide topographic survey, schematic design, design development, construction documents, bidding and construction administration for improvements and renovations including new picnic tables, redevelopment of volleyball court, new footbridge, walking trail, playground, picnic pavilion, removal and replacement of parking area north of recreation center, security lighting, replacement of drinking fountain with Americans with Disabilities Act/Texas Accessibility Standards compliance and correction of drainage at Martin Weiss Park located at 3400 W. Clarendon - \$88,950 - Financing: 2003 Bond Funds **[04-1809; APPROVED]**
8. Authorize a professional services contract with Corgan Associates, Inc. with Skidmore, Owings and Merrill LLP for architectural and engineering design services commencing with the pre-design programming phase of the contract for the design of the City Performance Hall - \$491,600 - Financing: 1998 Bond Funds (\$41,600), 2003 Bond Funds (\$450,000) **[04-1810; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

9. Authorize a contract for the renovation of Fire Station No. 4 located at 816 S. Akard Street and the structural repairs at Fire Station No. 28 located at 8701 Greenville Avenue - Mart, Inc., lowest responsible bidder of three - \$125,900 - Financing: Capital Construction Funds (\$79,100), TXU Reserve Funds (\$46,800) **[04-1811; APPROVED]**
10. Authorize a contract for the renovation of Fire Station No. 31 located at 9365 Garland Road - Mart, Inc., lowest responsible bidder of four - \$155,500 - Financing: TXU Reserve Funds **[04-1812; APPROVED]**
11. Authorize a contract for playground and site improvements at Exall Park located at 3500 Live Oak Street - Henneberger Construction, Inc., lowest responsible bidder of four - \$144,273 - Financing: 2003 Bond Funds **[04-1813; APPROVED]**
12. Authorize **(1)** a contract for the construction of Phase IX-A improvements including streetscape, miscellaneous plantings, street lighting and stone and wrought iron cemetery wall from Clyde Lane to Woodside Street north along block 578 located in Tax Increment Financing Reinvestment Zone Number One, (State-Thomas TIF District) with Texas Standard Construction, LTD., lowest responsible bidder of four, in an amount not to exceed \$209,865, **(2)** assignment of the construction contract to Gables Residential Trust for construction administration, and **(3)** payment to Gables Residential Trust in an amount not to exceed \$41,753 for design, construction administration, testing and street lighting - Total not to exceed \$251,618 - Financing: Private Funds (advance from Gables Residential Trust to the State-Thomas TIF District Fund) **[04-1814; APPROVED AS AN INDIVIDUAL ITEM]**
13. Authorize a contract for electrical distribution system improvements at the Southside Wastewater Treatment Plant - Dal-Ec Construction, Ltd., lowest responsible bidder of four - \$9,197,299 - Financing: Water Utilities Capital Improvement Funds **[04-1815; APPROVED]**

Contract Amendments

14. Authorize Supplemental Agreement No. 2 to the contract with Conley Design Group, Inc., for water infiltration and roof replacement at J. Erik Jonsson Central Library located at 1515 Young Street - \$80,340, from \$233,499 to \$313,839 - Financing: 2003 Bond Funds **[04-1816; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

15. Authorize **(1)** the acceptance of a grant from the State of Texas Energy Conservation Office in the amount of \$28,500, through an Interlocal Agreement; **(2)** the establishment of appropriations in the State of Texas Energy Conservation Office Grant Fund in the amount of \$28,500; **(3)** Supplemental Agreement No. 1 to the design/build contract with Harrison, Walker & Harper, LP for the reconstruction of the Dallas Naval Air Station/Hensley Field Operations Center, 8200 West Jefferson Boulevard, Buildings #25 and #27, in an amount not to exceed \$5,828,500, which includes the grant funding for the Guaranteed Maximum Price total; and **(4)** the City's option to exercise three 30-day extension periods in the contract for sale of the Inwood Road Operations Center facility with the Board of Regents of the University of Texas System for the City to continue to occupy the facility in an amount not to exceed \$52,348 - Total not to exceed \$5,880,848 - Financing: State of Texas Energy Conservation Office Grant Funds (\$28,500), Hensley Field Funds (\$5,852,348 to be partially reimbursed with the proceeds from the sale of the Inwood Road Operations Center) **[04-1817; APPROVED AS AN INDIVIDUAL ITEM]**
16. Authorize Supplemental Agreement No. 1 to the design-build contract with AUI Contractors, L.P. to approve the Guaranteed Maximum Price for the construction of the Thurgood Marshall Family Aquatics Center located at 5150 Mark Trail Way - \$4,747,500, from \$342,500 to \$5,090,000 - Financing: 2003 Bond Funds **[04-1818; APPROVED]**
17. Authorize **(1)** an increase in the contract with C. Green Scaping, L.P., to provide additional landscaping for the Love Field Flag Plaza in an amount not to exceed \$71,931, from \$509,513 to \$581,444, within the Guaranteed Maximum Price, and **(2)** assignment of the increase to Hunt Construction Group, Inc. for construction management - Financing: No additional cost consideration to the City **[04-1819; APPROVED]**
18. Authorize an increase in the contract with Barson Utilities, Inc. for additional work to install a 12-inch water main in Southerland Avenue and pavement repairs on Opal Avenue - \$175,885, from \$4,669,764 to \$4,845,649 - Financing: Water Utilities Capital Improvement Funds **[04-1820; APPROVED]**

Construction Miscellaneous

19. Authorize **(1)** sidewalk paving, water and wastewater adjustments for Sidewalk Group 03-123; 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 August 11, 2004, to receive citizens' comments (list attached) - Financing: No cost consideration to the City **[04-1821; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

20. Authorize an agreement with TXU Gas Company to install a 4-inch natural gas main and metering equipment located at the Southside Wastewater Treatment Plant - \$1,102,758 - Financing: Water Utilities Capital Improvement Funds **[04-1822; APPROVED]**

LAND ACQUISITION

21. Authorize acquisition from Kitty Ritchie of approximately 43,750 square feet of land located at 364 Gloria Road, Sunnyvale, Texas, near Lake Ray Hubbard - \$54,500 - Financing: Water Utilities Capital Construction Funds **[04-1823; APPROVED]**
22. Authorize the deposit of a Special Commissioners' Award for acquisition from Phillip Johnson, Donna K. Johnson and The Linfield Corporation of a tract of land containing approximately 90 acres located near the intersection of Linfield Road and Hull Avenue needed for the Trinity River Corridor project - \$287,920 - Financing: 1998 Bond Funds **[04-1824; APPROVED]**

LAND MISCELLANEOUS

23. An ordinance declaring approximately 5,000 square feet of undevelopable City-owned park land located near the intersection of Lawther Drive and West Bay Circle, unwanted and unneeded and authorize its sale to Michael J. Intille and Pamela J. Intille, the abutting property owners - Revenue: \$25,000 **[04-1825; ORDINANCE 25616; APPROVED]**
24. An ordinance granting a license to Texas Job Connection, Inc. and Texas Auto Connection, 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 **[04-1826; ORDINANCE 25617; APPROVED AS AN INDIVIDUAL ITEM]**
25. An ordinance granting a license to African American News & Issues, 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 **[04-1827; ORDINANCE 25618; APPROVED]**
26. Authorize an amendment to the lease agreement with DRS Broadcast Technology, Inc. to renew and extend the lease for five years of approximately 28,000 square feet of office and warehouse space located at 8231 and 8239 Hoyle Avenue from June 15, 2004 through June 14, 2009 - Not to exceed \$440,700 - Financing: Water Utilities Current Funds **[04-1828; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS

27. Authorize an assignment of the tax abatement agreement with Transamerica Corporation and Trizec Renaissance Incorporated, previously approved on May 22, 1996 by Resolution No. 96-1850, to First American Real Estate Solutions LLC - Financing: No cost consideration to the City **[04-1829; APPROVED AS AN INDIVIDUAL ITEM]**
28. Authorize the reconstruction on-site of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 3015 Spurlock - Total not to exceed \$55,000 - Financing: 2003-04 Community Development Grant Funds **[04-1830; APPROVED]**
29. Authorize **(1)** amendments to the Program Statement for the Single-Family Housing Infrastructure Development Bond Program and **(2)** issuance of a Request for Applications soliciting funding requests for infrastructure development for new mixed income single-family subdivisions, contingent on the availability of future bond proceeds - Financing: No cost consideration to the City **[04-1831; DEFERRED UNTIL 06/23/04]**
30. Authorize application to the Collin County Parks Foundation for a grant in the amount not to exceed \$1,000,000 for park development in Collin County (local match in the amount not to exceed \$500,000 will be required if awarded) - Financing: This action has no cost consideration to the City **[04-1832; APPROVED]**
31. Authorize adoption of the Downtown Parks Master Plan for the Park and Recreation Department - Financing: No cost consideration to the City **[04-1833; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize a change in the scope of work to the contract with A+ Integrated Solutions for the purchase of a capital project management information system, professional services and warranty - Financing: No cost consideration to the City **[04-1834; APPROVED]**
33. Authorize a five-year contract, with two five-year renewal options, with Lake Forest Community Association, Inc. to provide untreated water from White Rock Creek for irrigation of common areas and rights-of-way located in Dallas, Texas - June 9, 2004 through June 8, 2005 (\$16,224); June 9, 2005 through June 8, 2019 (\$15,859 annually) - Total Estimated Revenue: \$238,250 **[04-1835; APPROVED]**
34. Authorize renewal of the five-year contract, with two five-year renewal options, to provide untreated water for irrigation at The Shores Country Club, Inc. in Rockwall County, Texas - June 9, 2004 through June 8, 2019 (\$34,863 annually) - Total Estimated Revenue: \$522,945 **[04-1836; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [04-1837]

35. An application **(1)** to amend Tracts 1 and 3 within Planned Development District No. 260 to allow a medical clinic or ambulatory surgical center use by Specific Use Permit and to allow an in-patient rehabilitation facility by right and **(2)** for a Specific Use Permit for a medical clinic or ambulatory surgical center use, on the west side of North Central Expressway, north of Park Lane and south of Glen America Street, with consideration being given to a Specific Use Permit for an in-patient rehabilitation facility and ordinances granting an amendment to Planned Development District No. 260 and a Specific Use Permit for a medical clinic or ambulatory surgical center use and an in-patient rehabilitation facility
Recommendation of Staff: Approval of an amendment to Planned Development District No. 260 to allow a medical clinic or ambulatory surgical center use and an in-patient rehabilitation facility by right, subject to development plans, landscape plans and conditions
Recommendation of CPC: Approval of an amendment to Planned Development District No. 260 and approval of a Specific Use Permit for a medical clinic or ambulatory surgical center use and an in-patient rehabilitation facility by Specific Use Permit for a fifty-year period, subject to site plans, landscape plans and conditions.
Z034-140 (MM) **[04-1838; ORDINANCES 25619 AND 25620; APPROVED AS AMENDED]**
36. An application for and an ordinance granting an amendment to the Phase I development plan and conditions for Planned Development District No. 114 for Retail, Hotel, Office, Multiple Family, and Entertainment and Recreational Uses, on the northeast corner of Belt Line Road and Prestonwood Boulevard
Recommendation of Staff and CPC: Approval, subject to a Phase I development plan and conditions
Z034-173 (RB) **[04-1839; CONTINUED UNTIL 06/23/04; HEARING OPEN]**
37. A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development Subdistrict No. 34, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Howell Street and Hall Street and an ordinance granting an amendment to the conditions
Recommendation of Staff and CPC: Approval, subject to conditions
Z034-222 (WE) **[04-1840; ORDINANCE 25621; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

38. A City Plan Commission authorized hearing to consider proper zoning with consideration being given to amending the conceptual plan and the acceptance of a Tract IIA landscape plan for Planned Development District No. 598 for Mixed Uses on property located on the north line of IH 20 between Hampton Road and Polk Street and an ordinance implementing the proposal
Recommendation of Staff: Approval, subject to a revised conceptual plan and a Tract IIA landscape plan
Recommendation of CPC: Approval, subject to a revised conceptual plan and a Tract IIA landscape plan
Z034-226 (RB) [04-1841; ORDINANCE 25622; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

39. An application for a TH-1 Townhouse Subdistrict on property zoned an MF-1 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Throckmorton Street and Wycliff Avenue with consideration being given to a Planned Development Subdistrict for TH-1 Townhouse Subdistrict uses, and an ordinance granting a Planned Development Subdistrict for TH-1 Townhouse Subdistrict uses
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a Planned Development Subdistrict for TH-1 Townhouse Subdistrict uses, subject to a conceptual plan and conditions
Z034-192 (WE) [04-1842; ORDINANCE 25623; CPC RECOMMENDATION FOLLOWED]
40. An application for a Specific Use Permit for a Hotel or Motel use on property zoned an HC Heavy Commercial Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Maple Avenue and Mahon Street
Recommendation of Staff: Approval, for a two-year period with automatic renewals for additional five year periods, subject to site plan and conditions
Recommendation of CPC: Denial
Z034-116 (MM) [04-1843; CONTINUED UNTIL 06/23/04; HEARING OPEN]
41. An application for a Planned Development District for a CR-MD-1 Community Retail District with a Modified Delta Overlay, an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay, an MC-MD-1 Multiple Commercial District with a Modified Delta Overlay and UC-1 Urban Corridor District uses on property zoned a CR-MD-1 Community Retail District with a Modified Delta Overlay, an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay and an MC-MD-1 Multiple Commercial District with a Modified Delta Overlay, bounded by Greenville Avenue, Alta Street, Summit Avenue and Lewis Street
Recommendation of Staff and CPC: Denial
Z034-147 (WE) [04-1844; DELETED ON THE ADDENDUM]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

42. An application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school use and MF-2(A) Multifamily District uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District, located on the north side of Meadow Road, west of Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-211 (MJF) [04-1845; ORDINANCE 25624; CPC RECOMMENDATION FOLLOWED]
43. An application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school use and R-7.5(A) Single Family District uses and termination of Specific Use Permit No. 942 for a public school on property zoned an R-7.5(A) Single Family District, located southeast of Magna Vista Drive, south of Van Cleave Drive and southwest of Tips Boulevard
Recommendation of Staff and CPC: Approval, of a Planned Development District, subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 942
Z034-210 (MJF) [04-1846; ORDINANCES 25625 AND 25626; CPC RECOMMENDATION FOLLOWED]

BENEFIT ASSESSMENT HEARINGS

44. A benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater adjustments on Harlandale Avenue from E. Missouri Avenue to E. Ohio Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Camino Construction, LP, lowest responsible bidder of five - \$138,999 - Financing: 2003 Bond Funds (\$135,909), Water Utilities Capital Construction Funds (\$3,090)
[04-1847; ORDINANCE 25627; HEARING CLOSED; APPROVED]

MISCELLANEOUS HEARINGS

45. A public hearing to receive citizens' comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by Comcast Cable of Dallas, Inc. - Financing: No cost consideration to the City **[04-1848; HEARING CLOSED]**
46. A public hearing to receive citizens' comments, and an ordinance 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-sponsored youth programs in compliance with State law - Financing: No cost consideration to the City **[04-1849; ORDINANCE 25628; HEARING CLOSED; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Creation of Reinvestment Zone No. 60

Note: Item Nos. 47, 48, & 49
must be considered collectively.

47. * 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 business personal property tax abatement to Lavoie Corporation dba EPI Breads - Financing: No cost consideration to the City **[04-1850; HEARING CLOSED]**
48. * 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 business personal property tax abatement to Lavoie Corporation dba EPI Breads establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City **[04-1850; ORDINANCE 25629; APPROVED]**
49. * Authorize a business personal property tax abatement agreement with Lavoie 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) **[04-1851; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

50. 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) **[04-1852; APPOINTMENTS MADE TO BOARDS]**
51. Authorize an extension of the moratorium on the acceptance of applications for permits or certificates of appropriateness for a kiosk or kiosk signs to be located in the city - Financing: No cost consideration to the City (Requires a 3/4 vote of the full City Council for approval) **[04-1853; APPROVED]**
52. Authorize hardship relief for property located at 2819 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 **[04-1854; DEFERRED UNTIL 06/23/04]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

53. Authorize Business Assistance Center (BAC) contracts with (1) Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$80,000 to continue management and operation of BAC #1 located at 4622 Maple Avenue; and (2) MBA Consultants, Inc. in an amount not to exceed \$80,000 to continue management and operation of BAC #5 located at 1201 W. Camp Wisdom - Total not to exceed \$160,000 - Financing: 2003-04 Community Development Grant Funds **[04-1855; APPROVED]**
54. Authorize (1) an ordinance amending Chapter 34 of the Dallas City Code to revise the wage supplementation program to discontinue payments after 52 weeks; and, (2) an increase in appropriations in the amount of \$212,500, from \$813,187,093 to \$813,399,593 in the General Fund to provide wage supplementation benefits to workers injured on the job who receive treatment - Not to exceed \$212,500 - Financing: Contingency Reserve Funds **[04-1856; ORDINANCE 25630; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

55. 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 **[04-1857; APPLICATION DENIED WITHOUT PREJUDICE]**

ADDENDUM

ADDITIONS:

CONSENT ADDENDUM

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

1. Authorize a twenty-four-month price agreement for ultra low sulfur diesel fuel from Valero Marketing & Supply Company - Sole Source - Not to exceed \$3,660,500 - Financing: Current Funds (to be partially reimbursed by Texas Emission Reduction Plan Grant Funds) **[04-1858; APPROVED]**

MISCELLANEOUS

2. Authorize application for and acceptance of a grant from the North Central Texas Council of Governments' See Less Trash Regional Solid Waste Management Plan: FY2005 Request for Projects for Implementation for the Environmental Enforcement Officer to Stop Illegal Dumping of Boats program to fund an environmental enforcement officer to further combat all aspects of illegal dumping and associated environmental violations for the period September 1, 2004 through June 30, 2005, and execution of the grant agreement - \$58,439 - Financing: North Central Texas Council of Government Grant Funds **[04-1859; APPROVED]**
3. Authorize application for and acceptance of a grant from the North Central Texas Council of Governments for the Stop Illegal Dumping of Boats program to remove and properly dispose of boats contaminating the Trinity River Basin in the southeast section of the City of Dallas in Dallas County for the period September 1, 2004 through June 30, 2005; and execution of the grant agreement - \$45,600 - Financing: North Central Texas Council of Governments Grant Funds **[04-1860; APPROVED]**
4. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Joe C. Tooley, Attorney and Counselors for additional legal services and related expenses necessary in the lawsuit styled Reynolds v. City of Dallas, Civil Action No. 3:01-CV-2424-P, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$25,000, from \$15,000 to \$40,000 - Financing: Current Funds **[04-1861; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

5. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of White & Wiggins, L.L.P. for additional legal services and related expenses necessary in the lawsuit styled Keith B. Burkins v. City of Dallas and Roger A. Rudloff, Civil Action No. 3:00-CV-2377-L, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$90,000, from \$40,000 to \$130,000 - Financing: Current Funds **[04-1862; APPROVED]**
6. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Joe C. Tooley, Attorney and Counselors for additional legal services and related expenses necessary in the lawsuit styled Jacinto Jesus Mejia v. City of Dallas, et al., Civil Action No. 3:03-CV-0352-L, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$35,000, from \$15,000 to \$50,000 - Financing: Current Funds **[04-1863; APPROVED]**
7. Authorize a membership agreement in the DFW Electric Consumer Coalition in the amount of \$10,000 and Electric Reliability Council of Texas in the amount of \$2,000 - Total not to exceed \$12,000 - Financing: Aviation Current Funds (\$1,200), Convention and Event Services Current Funds (\$1,200), Current Funds (\$3,600) and Water Utilities Current Funds (\$6,000) **[04-1864; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

8. Authorize **(1)** adoption of the preliminary FY 2004-05 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$41,372,781 (which includes the June 2, 2004 City Council straw votes on the following amendments: amendment A withdrawn, amendment B passed, amendment C held for further discussion, and amendment D passed) for the following programs and estimated amounts: Community Development Block Grant (\$26,123,564), HOME Investment Partnerships Program (\$10,100,242), American Dream Down-Payment Initiative (\$1,164,409), Housing Opportunities for Persons with AIDS (\$3,192,000), and Emergency Shelter Grant (\$792,566); and proposed FY 2003-04 Reprogramming Budget in the amount of \$779,018; and **(2)** a public hearing to be held on June 23, 2004 to receive citizens' comments on the proposed use of funds - Financing: No cost consideration to the City **[04-1865; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

9. A resolution appointing Mary K. Suhm as Interim City Manager for the City of Dallas
[04-1866; APPROVED]

DELETION:

41. An application for a Planned Development District for a CR-MD-1 Community Retail District with a Modified Delta Overlay, an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay, an MC-MD-1 Multiple Commercial District with a Modified Delta Overlay and UC-1 Urban Corridor District uses on property zoned a CR-MD-1 Community Retail District with a Modified Delta Overlay, an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay and an MC-MD-1 Multiple Commercial District with a Modified Delta Overlay, bounded by Greenville Avenue, Alta Street, Summit Avenue and Lewis Street
Recommendation of Staff and CPC: Denial
Z034-147 (WE) [04-1844]