

AGENDA
CITY COUNCIL MEETING
OCTOBER 13, 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) [04-2900]

Agenda Item/Open Microphone Speakers [04-2901]

VOTING AGENDA [04-2902]

1. Approval of Minutes of the September 22, 2004 City Council Meeting [04-2903; APPROVED]

CONSENT AGENDA [04-2904]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with David C. Baldwin, Inc. to provide topographic survey, conceptual and planning phase, design phase and construction documents at Ruthmeade Park located at 800 S. Van Buren - \$15,275 - Financing: 2003 Bond Funds [04-2905; APPROVED]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with HBC/Terracon to provide for project management services for the storm water quality improvements implementation at the Dallas Zoo located at 650 South R. L. Thornton Freeway - Total not to exceed \$96,500 - Financing: Capital Projects Reimbursement Funds (to be reimbursed from the Storm Water Drainage Management Fund) **[04-2906; APPROVED]**

Authorization of Contracts

4. Authorize **(1)** a contract for the repairs to the Poultry Building within the Pan American Complex, Phase III at Fair Park in the amount of \$1,502,790; and **(2)** the establishment of appropriations in the amount of \$400,000 in State Fair of Texas Capital Construction Funds - Phoenix I Restoration and Construction, Ltd., best value proposer of five - Total not to exceed \$1,502,790 - Financing: Fair Park Agrarian District Grant Funds (Grantor, Texas Department of Agriculture Grant) (\$703,787), 1998 Bond Funds (\$399,003) and State Fair of Texas Capital Construction Funds (\$400,000) **[04-2907; APPROVED]**
5. Authorize **(1)** a contract for selective demolition and historic facade improvements for the redevelopment of 1500 Jackson Street (Interurban Building) with Andres Construction Services, LLC, lowest responsible bidder of four, in an amount not to exceed \$5,129,431, **(2)** assignment of the construction contract to Barker-Nichols, LLC for construction management, **(3)** a 60-day extension of the property acquisition deadline, and **(4)** an increase in appropriations in an amount not to exceed \$129,431 in the City Center TIF District Fund - Total not to exceed \$5,129,431 - Financing: City Center TIF District Funds (\$5,000,000), Private Funds (\$129,431) **[04-2908; APPROVED]**

Contract Amendments

6. Authorize **(1)** Supplemental Agreement No. 2 to the contract with LopezGarcia Group (formerly Garcia & Associates Engineering, Inc.) to provide engineering services for modifications to paving and storm drainage improvements on Kelly Boulevard from Michaelangelo Drive to Rosemeade Parkway in the amount of \$26,664, from \$251,570 to \$278,234, and **(2)** an increase in appropriations in an amount not to exceed \$23,999 in the Capital Projects Reimbursement Fund - Total not to exceed \$26,664 - Financing: Texas Department of Transportation (\$21,332), City of Carrollton (\$2,667), 1998 Bond Funds (\$2,665) **[04-2909; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous

7. Authorize reimbursement to the Dallas Zoological Society for site development cost including site clearing, tree protection and landscape, grading and paving, retaining walls, site utilities and fences for the Betty Moroney Norsworthy otter exhibit at the Dallas Zoo located at 650 South R. L. Thornton Freeway - Not to exceed \$188,573 - Financing: 2003 Bond Funds **[04-2910; APPROVED]**

8. Authorize **(1)** the receipt and deposit of project cost sharing funds in an amount not to exceed \$22,200,000 in accordance with the Project Cooperation Agreement with the U.S. Army Corps of Engineers for the construction of the Dallas Floodway Extension project, and **(2)** the establishment of appropriations in the amount of \$7,000,000 in the Trinity River Corridor Project Cooperation Fund - Total not to exceed \$22,200,000 - Financing: U.S. Army Corps of Engineers Funds **[04-2911; APPROVED]**

LAND ACQUISITION

9. Authorize acquisition of 6 parcels of land, including the exercise of the right of eminent domain, if such becomes necessary, containing a total of approximately 8,395 square feet located near the intersection on Montfort Drive and Alpha Road for the Montfort Drive Improvements project (list attached) - \$176,741 - Financing: 1998 Bond Funds (\$141,393 to be reimbursed from the Texas Department of Transportation) **[04-2912; APPROVED]**

10. Authorize acquisition of 2 unimproved lots and 7 properties improved with commercial structures and single family homes along Bexar Street between Starks Avenue and C. F. Hawn Freeway for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$280,000 - Financing: 2002-03 Community Development Grant Funds **[04-2913; APPROVED AS CORRECTED ON THE ADDENDUM]**

LAND MISCELLANEOUS

11. A resolution authorizing conveyance of a drainage easement containing approximately 7,291 square feet of land to the City of Garland for the construction and maintenance of a storm water drainage facility across City-owned land at Lake Ray Hubbard located near the intersection of Wynn-Joyce Road and Bluffview Drive - Revenue: \$2,916 **[04-2914; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

12. A resolution authorizing conveyance of a drainage easement containing approximately 9,389 square feet of land to the City of Garland for the construction and maintenance of a storm water drainage facility across City-owned land at Lake Ray Hubbard located near the intersection of Candlestick Drive and Zion Road - Revenue: \$3,380 [04-2915; APPROVED]
13. An ordinance abandoning a portion of an alley to Egypt Chapel Baptist Church, the abutting owner, containing approximately 2,627 square feet of land located near the intersection of Hutchins Road and Gallatin Street, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee [04-2916; ORDINANCE 25758; APPROVED]
14. Authorize the quitclaim of 2 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$16,010 [04-2917; APPROVED]
15. A resolution authorizing conveyance of an easement and right-of-way to TXU Gas Company containing approximately 4,069 square feet of land for a Natural Gas Metering Station on City-owned land at the Southside Wastewater Treatment Plant located near the intersection of Log Cabin Road and Belt Line Road - Financing: No cost consideration to the City [04-2918; APPROVED]

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

16. Authorize an increase in the contract with Motorola, Inc. for the renewal of ongoing maintenance for the Citizen Request Management System - \$191,100, from \$5,110,098 to \$5,301,198 - Financing: Current Funds (\$5,300), Water Utilities Capital Construction Funds (\$185,800) [04-2919; APPROVED]
17. Authorize exercise of the final twelve-month renewal option to the service contract with SSP Consulting, L.C. previously authorized on October 11, 2000, by Resolution No. 00-3099 to provide Surety Support Program services for the period of November 1, 2004 through October 31, 2005 - Not to exceed \$298,650 - Financing: Capital Construction Funds (\$95,000), General Capital Reserve Funds (\$80,000), and Water Utilities Capital Construction Funds (\$123,650) [04-2920; APPROVED AS AN INDIVIDUAL ITEM]
4. Authorize a five-year service contract for food concession services at Fair Park with the most advantageous proposers of four - Fiesta Enterprises, Inc. in an estimated amount of \$32,000, La-Kam International in an estimated amount of \$5,000, Nevins Concessions in an estimated amount of \$1,000, and Velasquez Catering & Concessions, Inc. in an estimated amount of \$12,000 - Estimated Annual Net Revenue: \$50,000 [04-2921; APPROVED]

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

19. Authorize a twenty-four-month price agreement for plastic sewer couplings and lateral cleanouts with the lowest responsible bidders of two - Dal-Tex Specialty & Mfg. Co. dba Dallas Specialty and Mfg. Co. in the amount of \$147,906 and Romar Supply, Inc. in the amount of \$2,624 - Total not to exceed \$150,530 - Financing: Water Utilities Current Funds **[04-2922; APPROVED]**
20. Authorize **(1)** the rejection of the only responsible bid received for cleaning of digesters and storage tanks and **(2)** the readvertisement for new bids - Financing: No cost consideration to the City **[04-2923; APPROVED]**

MISCELLANEOUS

21. An ordinance authorizing a correction to Ordinance No. 24832 for an amendment to Planned Development District No. 256 for the Dallas Police Department auto auction and outside salvage and reclamation facility on the west side of Vilbig Road between West Commerce Street and Ft. Worth Avenue to clarify that the development/landscape plan approved on January 23, 2002 was a supplement to the existing plan - Z012-120(EB) - Financing: No cost consideration to the City **[04-2924; ORDINANCE 25759; APPROVED]**
22. An ordinance authorizing a correction to Ordinance No. 25623 for Planned Development Subdistrict No. 55 for TH-1 Townhouse Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Throckmorton Street and Wycliff Avenue to correct the density regulation - Z034-192(WE) - Financing: No cost consideration to the City **[04-2925; ORDINANCE 25760; APPROVED]**
23. Authorize a contract with the Martin Luther King, Jr. Family Clinic to provide pediatric health care services for the period October 1, 2004 through September 30, 2005 - Not to exceed \$62,000 - Financing: Current Funds **[04-2926; APPROVED]**
24. Authorize a professional services contract with Temporary Medical Staffing, Inc., to provide a phlebotomist to obtain blood specimens for lead screening for residents of the City of Dallas for the period January 1, 2005 through December 31, 2005 - Not to exceed \$36,000 - Financing: Current Funds **[04-2927; APPROVED]**
25. Authorize the payment of certification and testing fees to the Texas State Commission on Fire Protection for the appropriate certification levels of each uniformed Fire Department employee - Not to exceed \$38,050 - Financing: Current Funds **[04-2928; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

26. Authorize the first of two twelve-month renewal options to the professional services contract with The Enterprise Foundation, Inc. to provide financial services and administration of the Mortgage Assistance Program for FY 2004-05 - \$2,014,409 (\$1,464,409 program loan funds and \$550,000 administration funds) - Financing: 2004-05 Community Development Grant Funds (\$300,000), 2004-05 HOME Funds (\$550,000), and American Dream Down payment Initiative Funds (\$1,164,409) **[04-2929; APPROVED]**
27. Authorize an amendment to the contract with the Dallas Housing Acquisition and Development Corporation to provide **(1)** FY 2004-05 operational funding for implementation of the Urban Land Bank Demonstration Program in an amount not to exceed \$201,980, from \$480,000 to \$681,980, and **(2)** disbursement of up to \$937,500 in 2003 General Obligation Bond proceeds for the acquisition of property by the land bank for affordable housing development - Total not to exceed \$1,139,480 - Financing: Current Funds (\$201,980) and 2003 Bond Funds (\$937,500) **[04-2930; APPROVED]**
28. Authorize the on-site reconstruction of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 1319 Hudspeth Avenue - Not to exceed \$55,000 - Financing: 2000-01 HOME Funds **[04-2931; APPROVED]**
29. Authorize revisions to Program Statements for the Mortgage Assistance (MAP) and Basic Home Repair (BHR) Programs to modify loan terms and deed restriction requirements to reinstitute self-amortizing, forgivable loans with an eight-year term for MAP and a ten-year term for BHR - Financing: No cost consideration to the City **[04-2932; APPROVED]**
30. Authorize the approval of the proposed Public Art Plan for the 2003 Bond Program as approved by the Cultural Affairs Commission, the Park and Recreation Board, and as recommended by the Arts, Education and Libraries committee, in compliance with the City's Public Art Ordinance (Dallas City Code, Chapter 2, Article X) - Financing: No cost consideration to the City **[04-2933; APPROVED]**
31. Authorize the preparation of plans for the issuance of \$172,335,000 General Obligation Bonds, Series 2004 - Financing: No cost consideration to the City **[04-2934; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize the preparation of plans for the issuance of \$23,530,000 Equipment Acquisition Contractual Obligations, Series 2004 - Financing: No cost consideration to the City **[04-2935; APPROVED]**
33. Authorize the preparation of plans for the issuance of \$6,035,000 Combination Tax and Revenue Certificates of Obligation, Series 2004 - Financing: No cost consideration to the City **[04-2936; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continue)

34. Authorize **(1)** the acceptance of the Fair Housing Assistance Program grant from the U.S. Department of Housing and Urban Development to process, investigate and conciliate housing discrimination complaints and to provide fair housing education and outreach for the period October 1, 2004 through September 30, 2005; and **(2)** execution of the grant agreement - \$214,591 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds **[04-2937; APPROVED]**
35. Authorize the renewal of the Interlocal Agreement with the Richardson Independent School District for campus-based school liaison services for the period October 1, 2004 through July 31, 2005 - Estimated Revenue: \$75,016 **[04-2938; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [04-2939]

36. An application for and an ordinance granting a CH Clustered Housing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an MF-1(A) Multifamily District and a TH-3(A) Townhouse District on the south side of Camp Wisdom Road, east of R.L. Thornton Freeway
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z023-248 (MM) **[04-2940; CONTINUED UNTIL 10/27/04; HEARING OPEN]**
37. An application for a CR Community Retail District on property zoned a NO(A) Neighborhood Office District on the south side of LBJ Freeway, between Preston Road and Hughes Lane with consideration given to, and an ordinance granting, an MU-1 Mixed use district and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval of an MU-1 Mixed Use District, subject to deed restrictions volunteered by the applicant in lieu of a CR Community Retail District
Z034-263 (WE) **[04-2941; ORDINANCE 25761; CPC RECOMMENDATION FOLLOWED]**
38. An application for and an ordinance granting an amendment to Specific Use Permit No. 1478 for a private school use on property zoned an RR Regional Retail District and an MF-2(A) Multifamily District on the south side of Ledbetter Drive, west of Hampton Road
Recommendation of Staff and CPC: Approval, for a time period ending on June 30, 2007, subject to a site plan/landscape plan and conditions
Z034-265 (WE) **[04-2942; ORDINANCE 25762; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - CONSENT (Continued)

39. An application for and an ordinance granting a Specific Use Permit for a Utility or Government Installation other than listed for a vehicle or engine repair or maintenance use, a vehicle storage lot, auto salvage, auto auction, and office uses on property zoned an IR Industrial Research District, south of Jefferson Boulevard and southwest of Millennium Way
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions.
Z034-271 (RB) [04-2943; ORDINANCE 25763; CPC RECOMMENDATION FOLLOWED]
40. An application for and an ordinance granting an MC-4 Multiple Commercial District on property zoned an MC-3 Multiple Commercial District on the northeast corner of the intersection of Dallas North Tollway and Bent Tree Forest Drive
Recommendation of Staff and CPC: Approval
Z034-278 (MM) [04-2944; CONTINUED UNTIL 10/27/04; HEARING OPEN]
41. An application for and an ordinance granting an MU-1 Mixed Use District on property zoned an NO(A) Neighborhood Office District and a resolution accepting deed restrictions volunteered by the applicant on the southeast corner of the intersection of Ferguson Road and Little Pocket Road with consideration given for a CR Community Retail District on the portion of the tract fronting Ferguson Road and an MF-2(A) Multifamily District on the rear portion of the tract
Recommendation of Staff: Approval of a CR Community Retail District on the portion of the tract fronting Ferguson Road, and an MF-2(A) Multifamily District on the rear portion of the tract in lieu of the applicants request for an MU-1 Mixed Use District.
Recommendation of CPC: Approval of an MU-1 Mixed Use District subject to deed restrictions volunteered by the applicant
Z034-280 (MM) [04-2945; ORDINANCE 25764; CPC RECOMMENDATION FOLLOWED]
42. An application for and an ordinance granting an R-5(A) Single Family District on property zoned a NS(A) Neighborhood Service District on the northeast corner of Bernal Drive and Weisenberger Drive
Recommendation of Staff and CPC: Approval
Z034-285 (WE) [04-2946; ORDINANCE 25765; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

43. An application for and an ordinance granting a Specific Use Permit for a Vehicle display, sales, and service use on property located within Subdistrict 2 of Planned Development District No. 535-D-1, the C. F. Hawn Special Purpose District with a D-1 Liquor Control Overlay on the south Line of C. F. Hawn Freeway, East of Beacon Hill Circle
Recommendation of Staff: Approval for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions.
Recommendation of CPC: Approval for a five-year period, subject to a site plan and conditions
Z034-287 (RB) [04-2947; ORDINANCE 25766; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

44. An application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District, on the north side of Bernal Drive, east of Palacios Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z023-230 (WE) [04-2948; ORDINANCE 25767; CPC RECOMMENDATION FOLLOWED]
45. An application for and an ordinance granting a Planned Development District for a private school use, MC-1 Multiple Commercial District uses, R-7.5(A) Single Family District uses, CR Community Retail District uses with retention of the Dry Liquor Control Overlay on a portion, and a P(A) Parking District and the termination of Specific Use Permit No. 1179 and Specific Use Permit No. 1538 on property zoned an MC-1 Multiple Commercial District with SUP No. 1538 on a portion, a CR Community Retail District, a CR-D Community Retail District with a Dry Liquor Control Overlay, an R-7.5(A) Single Family District with SUP No. 1179 on a portion, a D(A) Duplex District with SUP No 1179 on a portion, a P(A) Parking District on the south side of Lovers Lane between Morton Street and Linwood Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions with retention of the Dry Liquor Control Overlay on a portion of the site and termination of Specific Use Permit Nos. 1179 and 1538
Z034-260 (WE) [04-2949; DELETED ON THE ADDENDUM]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

46. An application for and an ordinance granting a Planned Development District for single family uses and a resolution accepting deed restrictions volunteered by the applicant on property zoned A(A) Agricultural District south of Grady Niblo Road, west of Kiwanis Road
Recommendation of Staff and CPC: Approval subject to a conceptual plan, conditions, and deed restrictions volunteered by the applicant
Z034-273 (DW) [04-2950; CONTINUED UNTIL 11/10/04; HEARING OPEN]
47. An application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses and a bank with a drive-in window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Cedar Springs Road, Carlisle Road and Routh Street with consideration given to a Specific Use Permit for a bank with a drive-in window service
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a Planned Development Subdistrict for GR General Retail Subdistrict uses and a bank with a drive-in window service subject to a development plan, landscape plan and conditions
Z034-284 (WE) [04-2951; ORDINANCE 25768; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

48. An application for and an ordinance granting a Planned Development District for a public school other than open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the southeast corner of Hillcrest Road and Lakehurst Avenue
Recommendation of Staff and CPC: Approval subject to a development/landscape plan and conditions
Z034-269 (DW) [04-2952; ORDINANCE 25769; CPC RECOMMENDATION FOLLOWED]
49. A Landmark Commission authorized hearing to consider the granting of an Historic Overlay District for the J.L. Long Middle School on property zoned Planned Development No. 543 for a public school and R-7.5(A) Single Family uses south of the intersection of Reiger Avenue and Paulus Avenue and an ordinance granting the Historic Overlay District
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z034-272 (JA) [04-2953; ORDINANCE 25770; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT (Continued)

50. An application for and an ordinance granting a Planned Development Subdistrict for a public school other than open-enrollment charter school and TH-3 Townhouse Subdistrict uses on property zoned a TH-3 Townhouse Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District in an area bounded by Inwood Road, Cedar Springs Road, Carlson Drive and Vandelia Street (Mapsco 34Q) (H-6) (CC Dist 2)
Recommendation of Staff and CPC: Approval subject to a development/landscape plan and conditions
Z034-276 (DW) [04-2954; ORDINANCE 25771; CPC RECOMMENDATION FOLLOWED]

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL

51. An application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant on the east line of Jim Miller Road, north of Lovett Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-231 (RB) [04-2955; DENIED WITH PREJUDICE]
Note: This item was considered by the City Council at public hearings on August 11 and August 25, 2004, and was held under advisement until October 13, 2004, with the public hearing open.
52. An application for a Planned Development District for mixed uses and the termination of a portion of SUP No. 187 for a cemetery and mortuary use and a private recreation club or area for a golf driving range on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 187 on the north side of Camp Wisdom Road, east of Manitoba Avenue with consideration given to an MF-1(A) Multifamily District
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a Planned Development District for mixed uses, subject to a revised conceptual plan, development plan and revised conditions and approval of the termination of a portion of SUP No. 187
Z034-245 (WE) [04-2956; CONTINUED UNTIL 11/10/04; HEARING OPEN]
Note: This item was considered by the City Council at a public hearing on September 22, 2004, and was taken under advisement until October 13, 2004, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL (Continued)

53. An application for and an ordinance granting the expansion of and amendment to Specific Use Permit No. 85 for a Cemetery on property zoned MF-2(A) Multifamily District with Specific Use Permit No. 85 on Lombardy Lane, west of Webb Chapel Road and east of Porter Street
Recommendation of Staff and CPC: Approval, subject to a site plan
Z023-179 (MM) [04-2957; **CONTINUED UNTIL 10/12/05; HEARING OPEN**]
Note: This item was considered by the City Council at public hearings on May 28, June 25, August 13, September 10, November 12, 2003 and June 23, 2004, and was taken under advisement until October 13, 2004, with the public hearing open.

DEVELOPMENT CODE AMENDMENT

54. An ordinance amending the Dallas Development Code, Article XI - Development Incentives, by adding a new Section 51A-11.109.1 granting an abatement of City of Dallas taxes to Recorded Texas Historic Landmarks and State Archeological Landmarks that are owned and operated by non-profits and are open to the public
Recommendation of Staff and CPC: Approval
DCA 034-009 [04-2958; **ORDINANCE 25772; APPROVED AS AMENDED**]

FLOODPLAIN APPLICATIONS

55. A public hearing to receive citizens' comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 0.092 acres of land, zoned Residential 7.5 (R7.5), currently in the 100-year floodplain of Ash Creek located at 8119 Barbaree Boulevard - Fill Permit 04-02 - Financing: No cost consideration to the City [04-2959; **HEARING CLOSED; APPROVED**]

BENEFIT ASSESSMENT HEARINGS

56. A public hearing to receive citizens' comments to cancel the assessment for the cost of the improvements against the abutting property owner at 2740 Buckner Boulevard, and at the close of the hearing, approval of an ordinance amending Ordinance No. 25075 previously approved on October 23, 2002, to reflect this cancellation - Financing: No cost consideration to the City [04-2960; **ORDINANCE 25773; HEARING CLOSED; APPROVED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Private Sale of Unimproved Property

Note: Item Nos. 57 and 58 must be considered collectively.

57. * A public hearing to receive citizens' comments on the proposed private sale and conveyance by quitclaim deed of an unimproved property located at 4311 Scurry acquired by the taxing authorities from the Sheriff's Sale to East Dallas Community Organization, a qualified non-profit organization - Financing: No cost consideration to the City [04-2961; HEARING CLOSED]
- 58.* 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 4311 Scurry acquired by the taxing authorities from a Sheriff's Sale to East Dallas Community Organization, a qualified non-profit organization - Revenue: \$ 1,032 [04-2961; APPROVED]

Urban Land Bank Demonstration Program

Note:Item Nos. 60 and 61 must be considered collectively

59. * A public hearing to receive citizens' comments on the proposed FY 2004-05 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City [04-2962; HEARING CLOSED]
60. * Authorize approval of the FY 2004-05 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City [04-2962; APPROVED]
61. A public hearing to receive citizens' comments on the 2004 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City [04-2963; HEARING CLOSED]

ITEMS FOR INDIVIDUAL CONSIDERATION

62. 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) [04-2964; APPOINTMENTS MADE TO BOARDS]
- 1 Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for "non-residential" properties within 500 feet of the north or south right-of-way line of W. Northwest Highway, from Stemmons Freeway to Mixon Drive until February 18, 2005 - Financing: No cost consideration to the City (**Requires a 3/4 vote of the full City Council for approval**) [04-2965; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

63. Authorize a grant agreement with Central Dallas Association in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code, to convert existing parking facilities in the downtown area to public, short-term parking rates through the purchase of new equipment, signage and marketing - Total not to exceed \$1,500,000 - Financing: Public/Private Partnership Funds **[04-2966; APPROVED]**
65. Authorize **(1)** a loan agreement with Spectrum Properties, LTD, in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code, in an amount not to exceed \$8,500,000 for the construction of a mixed use development located at 1407 Main Street, and **(2)** disbursement of the loan and establishment of a loan receivable in an amount not to exceed \$8,500,000 in the Public/Private Partnership Fund - Total not to exceed \$8,500,000 - Financing: Public/Private Partnership Funds **[04-2967; APPROVED AS CORRECTED ON THE ADDENDUM]**
66. Authorize approval of a tax deferral application prior to rezoning of two properties located at 4143 and 4149 Buena Vista Street - Financing: No cost consideration to the City **(Requires a 2/3 vote of the full City Council for approval) [04-2968; POSTPONED UNTIL 10/27/04]**
67. Authorize hardship relief for property located at 1025 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 **[04-2969; APPROVED]**
68. Authorize hardship relief for property located at 4508 Ross Avenue from the Ross Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties on Ross Avenue from Central Expressway to Fitzhugh Avenue - Financing: No cost consideration to the City **[04-2970; DENIED]**
69. Authorize hardship relief for property located at 3021 Bachman Drive from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City **[04-2971; APPROVED]**
70. Authorize a twelve-month Interlocal Agreement with the Dallas Independent School District's Pregnancy, Education, and Parenting Program to administer the City's Child Care Services Program for full time students who are pregnant or parenting and need child care assistance and other services to help remain in school for the period October 1, 2004 through September 30, 2005 - Not to exceed \$100,000 - Financing: 2004-05 Community Development Grant Funds **[04-2972; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

71. Authorize adoption of the 2005 City Calendar - Financing: No cost consideration to the City [04-2973; APPROVED]
72. Authorize a public hearing to be held on November 10, 2004 to receive citizens' comments on the proposed change of use and sale of approximately 1.76 acres of land, being part of Greiner Park located at 700 Montclair Avenue, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City [04-2974; APPROVED]
73. Authorize a public hearing to be held on November 10, 2004, to receive citizens' comments on the proposed change of use and sale of approximately 1.81 acres of land, being all of Crockett Park located at 501 Carroll Avenue, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City [04-2975; POSTPONED UNTIL 10/27/04]
74. Authorize a public hearing to held on November 10, 2004, to receive citizens' comments on the proposed change of use and sale of approximately 1.15 acres of land, being part of Buckner Park located at 4550 Worth Street, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City [04-2976; POSTPONED UNTIL 10/27/04]
75. Authorize a public hearing to be held on November 10, 2004, to receive citizens' comments on the proposed change of use and sale of approximately 1.56 acres of land, being part of Brownwood Park located at 3424 Walnut Hill Lane, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City [04-2977; APPROVED]

ADDENDUM

ADDITIONS:

Closed Session [04-2978; CLOSED SESSION HELD]

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

- Legal issues involving appeal of trial board ruling of DPD Police Officer David Llewellyn
- Legal issues regarding FLSA amendments
- City of Dallas v. Greg Abbott, Attorney General of Texas, Cause No. GV4-01287
- City of Dallas v. Charles Remy Tabor et al., Cause No. CC-02-09879-B
- United States of America, on behalf of its agency, the General Services Administration v. Dynamic Cable Construction Company, Inc., a/k/a Dynamic Cable Holdings, Inc; REATA Construction Corp; City of Dallas, Cause No. 3:03-CV-01981-R
- Dallas Independent School District v. Calvary Hill Cemetery, et al., No. CC-03-9682-d, Appeal No. 05-04-1323-CV
- Jacinto Jesus Mejia v. City of Dallas, Cause No. 3:03-CV-0352-L

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize **(1)** the acceptance of a \$750,000 donation from the Friends of the Dallas Public Library Inc., representing 50% of the total cost to renovate the fifth floor of the Central Library, and **(2)** a contract for the construction phase of the renovation of the fifth floor at the J. Erik Jonsson Central Library located at 1515 Young Street - TurJac Construction Ltd., lowest responsible bidder of seven - \$661,314 - Financing: 1998 Bond Funds (\$162,578) and Capital Construction Funds (\$498,736) [04-2979; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

2. Authorize **(1)** a contract for selective demolition and environmental remediation related to the redevelopment of the Gulf States Building at 1415 Main Street with ARC Abatement I Ltd., lowest responsible bidder of five, in an amount not to exceed \$1,028,290, **(2)** assignment of the contract to G. S. Murray Development for construction management, **(3)** payment to G. S. Murray Development in an amount not to exceed \$50,000 for design, reimbursables and construction management, **(4)** a project deadline extension, and **(5)** an amendment to Resolution No. 03-1919 to clarify the number of units to be built from 69 units to 68 units - Total not to exceed \$1,078,000 - Financing: City Center TIF District Funds **[04-2980; APPROVED]**

MISCELLANEOUS

3. An ordinance amending Chapter 27 of the Dallas City Code to allow a personal identification card number to be listed instead of a driver's license number on a crime prevention addendum to a lease or rental agreement for a multi-tenant property - Financing: No cost consideration to the City **[04-2981; ORDINANCE 25774; APPROVED AS AN INDIVIDUAL ITEM]**
4. An ordinance granting an amendment to Planned Development District No. 624 for mixed uses generally located on the north side of Wheatland Road and on the west side of Lancaster Road - Z034-198(DC) - Financing: No cost consideration to the City **[04-2982; POSTPONED UNTIL 10/27/04]**
5. An ordinance granting an amendment to Planned Development District No. 625 for mixed uses generally located on the west side of Lancaster Road between Crouch Road and Camp Wisdom Road - Z034-197(DC) - Financing: No cost consideration to the City **[04-2983; POSTPONED UNTIL 10/27/04]**
6. An ordinance granting a Planned Development District for single family district uses subject to a conceptual plan on property zoned Planned Development District No. 658 for single family residential uses, an R-5(A) Single Family District and an R-7.5(A) Single Family District on the north side of Camp Wisdom Road, east of Firebird Lane - Z034-196(DC) - Financing: No cost consideration to the City **[04-2984; POSTPONED UNTIL 10/27/04]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

7. Authorize **(1)** adoption of the 2005 Employee and Retiree Health Benefits Plan, including the Flexible Benefits (Section 125) Plan; and **(2)** approval of the proposed health coverage premium rates - Financing: Employee Benefits Current Funds **[04-2985; APPROVED]**
8. Authorize approval of a tenant support services investment policy for multifamily projects financed with tax-exempt bonds issued by the City of Dallas Housing Finance Corporation and Low Income Housing Tax Credit projects for which the Texas Department of Housing and Community Affairs requires the approval of the City of Dallas - Financing: No cost consideration to the City **[04-2986; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

9. Authorize hardship relief for property located at 3363 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City **[04-2987; APPROVED]**
10. Authorize approval of the guidelines for consideration of Private Activity Bond and Low Income Housing Tax Credit projects requiring City Council approval - Financing: No cost consideration to the City **[04-2988; POSTPONED UNTIL 10/27/04]**
11. A resolution to **(1)** authorize staff to proceed with preparations to issue Pension Obligation Bonds, Series 2004; and, **(2)** approve the underwriting syndicate members and designate the co-senior managers - Financing: This action has no cost consideration to the City **[04-2989; APPROVED]**
12. An ordinance amending Ordinance No. 25697 ordering the November 2, 2004 special election for the purpose of submitting to the qualified voters of the City proposed amendments to Chapter 40A, "Retirement, " of the Dallas City Code as approved by the City Council on August 11, 2004 - Financing: This action has no cost consideration to the City **[04-2990; ORDINANCE 25775; APPROVED]**

ADDENDUM

CORRECTIONS:

10. Authorize acquisition of ~~2~~ 1 unimproved ~~lots~~ parcel (containing 2 lots) and ~~7~~ 8 properties improved with commercial structures and single family homes along Bexar Street between Starks Avenue and C. F. Hawn Freeway for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$280,000 - Financing: 2002-03 Community Development Grant Funds [04-2913]
11. Authorize **(1)** a loan agreement with ~~Spectrum Properties, LTD~~ DLD Properties, LTD, in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code, in an amount not to exceed \$8,500,000 for the construction of a mixed use development located at 1407 Main Street, and **(2)** disbursement of the loan and establishment of a loan receivable in an amount not to exceed \$8,500,000 in the Public/Private Partnership Fund - Total not to exceed \$8,500,000 - Financing: Public/Private Partnership Funds [04-2967]

DELETION:

51. An application for and an ordinance granting a Planned Development District for a private school use, MC-1 Multiple Commercial District uses, R-7.5(A) Single Family District uses, CR Community Retail District uses with retention of the Dry Liquor Control Overlay on a portion, and a P(A) Parking District and the termination of Specific Use Permit No. 1179 and Specific Use Permit No. 1538 on property zoned an MC-1 Multiple Commercial District with SUP No. 1538 on a portion, a CR Community Retail District, a CR-D Community Retail District with a Dry Liquor Control Overlay, an R-7.5(A) Single Family District with SUP No. 1179 on a portion, a D(A) Duplex District with SUP No 1179 on a portion, a P(A) Parking District on the south side of Lovers Lane between Morton Street and Linwood Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions with retention of the Dry Liquor Control Overlay on a portion of the site and termination of Specific Use Permit Nos. 1179 and 1538
Z034-260 (WE) [04-2949]