

AGENDA
CITY COUNCIL MEETING
DECEMBER 8, 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) [04-3410]

Agenda Item/Open Microphone Speakers [04-3411]

VOTING AGENDA

1. Approval of Minutes of the November 10, 2004 City Council Meeting [04-3412; APPROVED]

CONSENT AGENDA [04-3413]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Johnson Controls, Inc., to perform an energy audit and develop proposals for energy conservation related projects at the Dallas Convention Center located at 600 South Lamar and Reunion Arena located at 777 Sports Street - \$150,000 - Financing: Convention and Event Services Capital Construction Funds [04-3414; APPROVED AS AN INDIVIDUAL ITEM]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Kimley-Horn and Associates, Inc. to provide for a site development plan, schematic design, design development, construction documents, bidding and construction administration phases for the improvements at Ridgewood Park located at 6818 Fisher Road - \$86,500 - Financing: 2003 Bond Funds **[04-3415; APPROVED]**
4. Authorize a professional services contract with APM and Associates, Inc. to provide engineering services for the design of replacement water mains and rehabilitation or replacement of wastewater mains in various locations (list attached) - \$1,481,840 - Financing: Water Utilities Capital Improvement Funds **[04-3416; APPROVED]**

Authorization of Contracts

5. Authorize a contract for roof replacement and asbestos abatement at the MLK Childcare Center Building located at 2922 MLK Boulevard - Roof Management Services, Inc., lowest responsible bidder of three - \$93,697 - Financing: Capital Construction Funds **[04-3417; APPROVED]**
6. Authorize a contract for site improvements including concrete flatwork for a walking path, Americans with Disabilities Act accessible ramps and site furnishings at South Central Park located at 4753 Fellows Lane - Parks for Play, Inc., lowest responsible bidder of two - \$139,720 - Financing: 2000-01 Community Development Grant Funds (\$66,653), 2001-02 Community Development Grant Reprogramming Funds (\$65,522) and 2002-03 Community Development Grant Reprogramming Funds (\$7,545) **[04-3418; APPROVED]**
7. Authorize a contract for the construction of paving and drainage improvements on Coit Road from Kit Lane to Southview Lane and for the alley between Briaridge Road and Fallmeadow Lane from Carriage Lane to Spring Creek Road - P & E Contractors, Inc., lowest responsible bidder of four - \$261,546 - Financing: 2003 Bond Funds **[04-3419; APPROVED]**
8. Authorize a contract for the construction of the Linfield Road bridge at the Union Pacific Railroad crossing that intersects Linfield Road approximately 86 feet west of Carbondale Street - Rebcon, Inc., lowest responsible bidder of five - \$1,384,176 - Financing: 1998 Bond Funds **[04-3420; APPROVED AS AN INDIVIDUAL ITEM]**
9. Authorize a contract for the construction of water and wastewater main replacements at various locations, Phase II (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of five - \$4,597,356 - Financing: Water Utilities Capital Improvement Funds **[04-3421; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

10. Authorize Supplemental Agreement No. 2 to the contract with Mitchell Enterprises, Ltd. to **(1)** establish a Guaranteed Maximum Price in the amount of \$15,235,000; and, **(2)** authorize the construction services portion of the design/build contract at the Northwest Service Center, Phase II, located at 9801 Harry Hines Boulevard, including new facilities for Equipment and Building Services, Street Services, and Sanitation Services Departments, and the installation of underground fuel storage tanks at the Northeast Service Center located at 8935 Adlora and at the Southwest Service Center located at 2411 Valleria, within the Guaranteed Maximum Price - Total not to exceed \$15,235,000 - Financing: 2003 Bond Funds **[04-3422; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize an increase in the contract with Dean Electric, Inc. dba Dean Construction to provide miscellaneous improvements including the extension of a 12-foot wide hike and bike trail from Lily Bay Pad to Fisher Road, bridge and boardwalk handrail modifications, handicap accessibility improvements for the portable toilet at T.P. Hill and an additional 16 bald cypress trees for the West Lawther hike and bike trail at White Rock Lake Park located at 8300 Garland Road - \$121,979, from \$1,393,854 to \$1,515,833 - Financing: 2003 Bond Funds **[04-3423; APPROVED]**
12. Authorize an increase in the contract with Harrison Quality Construction, Inc. for miscellaneous improvements including code and Americans with Disabilities Act compliance issues and correction of structural problems in the existing building at Janie C. Turner Recreation Center at Pemberton Hill Park located at 6424 Elam Road - \$134,195, from \$857,107 to \$991,302 - Financing: 1995 Bond Funds (\$93,537), 1998 Bond Funds (\$39,257) and 1999-00 Community Development Grant Reprogramming Funds (\$1,400) **[04-3424; APPROVED]**
13. Authorize Supplemental Agreement No. 1 to the contract with MESA Design Group for additional design services needed to prepare construction documents including schematic drawings, site construction materials evaluation and other miscellaneous tasks for a structurally designed pavilion for the Great Trinity Forest - Moore Park Gateway - \$65,300, from \$236,805 to \$302,105 - Financing: 1998 Bond Funds **[04-3425; APPROVED]**
14. Authorize **(1)** Supplemental Agreement No. 3 to the professional services contract with GRW Willis, Inc. for the design of a new terminal and associated improvements at Dallas Executive Airport, to provide design for an enlarged aircraft apron, aviation electronic design for the new air traffic control tower, and additional surveying in the amount of \$109,752, from \$575,313 to \$685,065; and, **(2)** an increase in appropriations in an amount not to exceed \$109,752 in the Texas Department of Transportation Airport Improvement Program Fund - Total not to exceed \$559,511 - Financing: Aviation Capital Construction Funds (\$17,230), Texas Department of Transportation Airport Improvement Program Funds (\$92,522) **[04-3426; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

15. Authorize Supplemental Agreement No. 3 to the engineering services contract with Malcolm Pirnie, Inc. for the evaluation and design of odor control related work at the Southside Wastewater Treatment Plant - \$233,614, from \$2,061,017 to \$2,294,631 - Financing: Water Utilities Capital Improvement Funds **[04-3427; APPROVED]**

Construction Miscellaneous

16. Authorize **(1)** a development agreement with the Rotary Club of Park Cities; and **(2)** reimbursement to the Rotary Club of Park Cities for the construction of a section of trail adjacent to the new playground at Bachman Lake Park located at 3500 Northwest Highway - Not to exceed \$18,880 - Financing: 2003 Bond Funds **[04-3428; APPROVED]**
17. Authorize **(1)** alley paving, water and wastewater main improvements for the alley between Dickason Avenue and Hartford Street from Wycliff Avenue to Douglas Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on February 9, 2005, to receive citizens' comments - Financing: No cost consideration to the City **[04-3429; APPROVED]**
18. Authorize a Project Specific Agreement with Dallas County for the participation in design and construction of bicycle/pedestrian trail and bridge improvements south of Mockingbird Lane from West Lawther Drive to East Lawther Drive - \$1,553,035 - Financing: 1998 Bond Funds (\$279,694), 2003 Bond Funds (\$1,273,341) **[04-3430; APPROVED]**
19. Authorize a Project Specific Agreement with Dallas County for the participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Singleton Boulevard from Chalk Hill Road to east of Peoria Avenue - \$250,002 - Financing: 2003 Bond Funds **[04-3431; APPROVED]**
20. Authorize **(1)** sidewalk paving, storm drainage, water and wastewater adjustments on Churchill Way (south side of street) from Preston Road to Hillcrest Road; 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 February 9, 2005, to receive citizens' comments - Financing: This action has no cost consideration to the City **[04-3432; APPROVED]**
21. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Carbondale Street from Linfield Road to the Loop 12 east bound service road; 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 February 9, 2005, to receive citizens' comments - Financing: No cost consideration to the City **[04-3433; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION

22. Authorize the deposit of a Special Commissioners' Award for acquisition from Pleasant Run/Lancaster Ltd. of approximately 1,351 square feet of land located at the intersection of Harry Hines Boulevard and Lovers Lane for Lovers Lane street improvements - \$50,000 - Financing: 1998 Bond Funds **[04-3434; APPROVED]**

LAND MISCELLANEOUS

23. Authorize the private sale by quitclaim deed of an improved property located at 2643 Jeffries Street acquired by the taxing authorities from a Sheriff's Sale to Southfair Community Development Corporation - Revenue: \$18,199 **[04-3435; DELETED ON THE ADDENDUM]**
24. An ordinance abandoning portions of North Harwood and Payne Streets to Rolex Texas Realty (Delaware) Corporation, the abutting owner, containing approximately 257 square feet of land located near the intersection of North Harwood and Payne Streets, and authorizing the quitclaim - Revenue: \$11,565 plus the \$20 ordinance publication fee **[04-3436; ORDINANCE 25810; APPROVED]**
25. An ordinance abandoning portions of Chippewa Drive, Fannie, Ingersoll and Iroquois Streets and portions of various alleys to Builders of Hope Community Development Corporation, the abutting owner, containing approximately 75,340 square feet of land located near the intersection of Fannie Street and Chalk Hill Road, authorizing the quitclaim and providing for dedication of approximately 18,519 square feet of land needed for street right-of-way - Revenue: \$43,468 plus the \$20 ordinance publication fee **[04-3437; ORDINANCE 25811; APPROVED]**
26. Authorize the private sale by quitclaim deed of an improved property located at 4821 Owenwood Avenue acquired by the taxing authorities from a Sheriff's Sale to Shang's Garden, Inc. - Revenue: \$13,270 **[04-3438; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

27. Authorize the purchase of four fire pumpers, seventeen rescue units, four Battalion Chief vehicles, one aerial ladder truck, and one mobile air supply unit from Tyler Motor Co. Inc. and Metro Fire Apparatus Specialist and Lawrence Marshall Chevrolet through the Houston-Galveston Area Council of Governments - Not to exceed \$4,178,813 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$2,393,854), Current Funds (\$1,784,959) **[04-3439; APPROVED AS AN INDIVIDUAL ITEM]**
28. Authorize exercise of the thirty-six-month renewal option to the professional services contract with Haston Associates for environmental monitoring and related services for McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station from January 1, 2005 through December 31, 2007 - Not to exceed \$526,830 - Financing: Current Funds (subject to annual appropriations) **[04-3440; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

29. Authorize a twelve-month price agreement for heavy equipment with the lowest responsible bidders of fourteen - Nations Rent of Texas in the amount of \$105,102, Crescent Machinery Co.

in the amount of \$55,500, Conley Lott Nichols of Texas, Inc. in the amount of \$130,425, American Material Handling, Inc. in the amount of \$124,217, DCMM Rental One, Ltd. in the amount of \$134,960, Industrial Disposal Supply Co., LLC in the amount of \$119,500 - Total not to exceed \$669,704 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$651,204), Current Funds (\$18,500) **[04-3441; APPROVED]**

30. Authorize a thirty-six-month price agreement for heating, ventilation and air conditioning parts and supplies for various City-owned facilities with the lowest responsible bidder of four - Johnson Supply - Not to exceed \$794,626 - Financing: Current Funds **[04-3442; APPROVED]**
31. Authorize a forty-eight-month service contract to provide an Employee Assistance Program for employees and their family members with the most advantageous proposer of six - Alliance Work Partners, a Texas non-profit corporation - Not to exceed \$631,748 (\$0.98 per employee per month) - Financing: Employee Benefits Current Funds (subject to annual appropriations) **[04-3443; APPROVED]**
32. Authorize a forty-eight-month professional services contract for an Insurance Broker of Record to provide consulting services to encompass all phases of risk management with the most advantageous proposer of three - Aon Risk Services of Texas, Inc. - Not to exceed \$400,000 - Financing: Current Funds (subject to annual appropriations) **[04-3444; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize the purchase and installation of electrically operated, multiple-tiered gymnasium bleachers at Harry Stone Recreation Center from the lowest responsible bidder of three - John F. Clark Company, Inc. - \$51,840 - Financing: Current Funds **[04-3445; APPROVED]**
34. Authorize a forty-eight-month concession contract for Automated Teller Machines at various City-owned facilities with the only bidder - Metro Games, Inc. - Estimated Revenue: \$74,000 **[04-3446; APPROVED AS AN INDIVIDUAL ITEM]**
35. Authorize a forty-eight-month price agreement for Taser X26 non-lethal weapons and accessories with GT Distributors - Sole Source - Not to exceed \$620,401 - Financing: Current Funds (\$214,529), 2003 Omnibus Appropriation Local Law Enforcement Block Grant Funds (\$400,722), and Law Enforcement Officer Standards and Education Grant Funds (\$5,150) **[04-3447; APPROVED]**
36. Authorize a thirty-six-month price agreement for liquid ferric sulfate with the lowest responsible bidder of two - Fini Enterprises, Inc. dba FE3 Incorporated - Not to exceed \$17,256,240 - Financing: Water Utilities Current Funds **[04-3448; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

37. Authorize a thirty-six-month price agreement for sewer grease liquefying agent with the lowest responsible bidders of three - FMW Distributors, Inc. in the amount of \$223,787, and Municipal Industries, Inc. in the amount of \$58,000 - Total not to exceed \$281,787 - Financing: Water Utilities Current Funds **[04-3449; APPROVED]**
38. Authorize a thirty-six-month price agreement for chemical root control with the lowest responsible bidder of two - Duke's Root Control, Inc. - Not to exceed \$683,500 - Financing: Water Utilities Current Funds **[04-3450; APPROVED]**
39. Authorize a thirty-six-month service contract for overhead and gantry crane inspection maintenance and repair with the lowest responsible bidder of two - C & C Professional Services, Inc. - Not to exceed \$68,200 - Financing: Water Utilities Current Funds **[04-3451; APPROVED]**
40. Authorize the purchase and installation of an emergency power generator for the facilities at 2821 and 2900 Municipal to provide backup power in the event of an electrical outage from the lowest responsible bidder of four - Entech Electronics - \$53,815 - Financing: Water Utilities Current Funds **[04-3452; APPROVED]**

MISCELLANEOUS

41. Authorize settlement of the lawsuit styled Robert Reynolds v. City of Dallas, Texas, Cause No. 03-12757-G - \$70,000 - Financing: Current Funds **[04-3453; APPROVED]**
42. Authorize settlement of the lawsuit styled Alisa T. Hill v. Dallas City Zoo and City of Dallas, Cause No. 03-11387-L - \$5,276 - Financing: Current Funds **[04-3454; APPROVED]**
43. Authorize Supplement Agreement No. 1 with the law firm of Mounce, Green, Myers, Safi & Galatzan P.C., for legal services and representation in Matters Related to the Statement of Intent of TXU Gas Company (now Atmos Energy) to Change Rates in the Company's Statewide Gas Utility System, Railroad Commission of Texas Gas Utilities Docket No. 9400 and related dockets (consolidated) including appeals, collateral litigation, and case expense litigation - Not to exceed \$67,000, from \$203,250 to \$270,250 - Financing: Current Funds **[04-3455; APPROVED]**
44. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Bell, Nunnally & Martin LLP, to provide legal services in the lawsuits styled Jill Muncy, et al. v. City of Dallas, et al., Civil Action No. 3:99-CV-2960-P, consolidated with Robert Jackson, et al. v. City of Dallas, et al., Civil Action No. 3:00-CV-588-H, and any other proceedings relating to the subject matter of the lawsuits - Not to exceed \$60,000, from \$90,000 to \$150,000 - Financing: Current Funds **[04-3456; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

45. Authorize Supplemental Agreement No. 3 to the professional services contract with Economists.com for additional services necessary in negotiations with SBC Communications, Inc., regarding Voice Over Internet Protocol issues - Not to exceed \$50,000, from \$254,000 to \$304,000 - Financing: Current Funds **[04-3457; APPROVED AS AN INDIVIDUAL ITEM]**
46. An ordinance amending Chapter 48A of the Dallas City Code to provide procedures, requirements and fees for conducting a non-consent tow fee study - Financing: No cost consideration to the City **[04-3458; ORDINANCE 25812; APPROVED AS AN INDIVIDUAL ITEM]**
47. Authorize the City Auditor's 2004-05 Annual Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City **[04-3459; APPROVED]**
48. Authorize a loan agreement with D.C. Lovelace, Inc. dba Platinum Pet located at 4907 Spring Avenue in the South Dallas/Fair Park Trust Fund service area to fund operational cost - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds **[04-3460; APPROVED]**
49. Authorize a loan agreement with The Verve Design Group located at 4949 Beeman in the South Dallas/Fair Park Trust Fund service area to fund operational cost and purchase of equipment - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds **[04-3461; APPROVED]**
50. Authorize re-adoption of the Public/Private Partnership Program Guidelines and Criteria for Non-Residential Projects, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax code, Chapter 312), governing tax abatement agreements and other city incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City **[04-3462; APPROVED AS AN INDIVIDUAL ITEM]**
51. An ordinance amending Chapter 52 of the Dallas City Code providing a definition of building permit - Financing: No cost consideration to the City **[04-3463; ORDINANCE 25813; APPROVED]**
52. An ordinance correcting Ordinance No. 25786, which amended Article VII of the Dallas Development Code regarding detached premise sign regulations to correct the definition of setback to height slope - Financing: No cost consideration to the City **[04-3464; ORDINANCE 25814; APPROVED]**
53. An ordinance correcting Ordinance No. 24543, which amended the definition of Local Utilities in the Dallas Development Code and created a new communication exchange facility use - Financing: No cost consideration to the City **[04-3465; ORDINANCE 25815; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

54. An ordinance correcting Ordinance No. 24597, which amended Planned Development District No. 414 and 414D, for a college, university or seminary and mixed uses on Marvin D. Love Freeway, south of Kiest Boulevard Z001-121(RB) - Financing: No cost consideration to the City **[04-3466; ORDINANCE 25816; APPROVED]**

Note: Item Nos. 55 & 56 must be considered collectively.

City Center TIF District

55. * Authorize (1) a development agreement with LB 1200 Main LP to provide for the funding of environmental remediation, demolition, and other authorized improvements related to the redevelopment of 1200 Main Street in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$4,750,000; and (2) the establishment of appropriations in the amount of \$4,750,000 in the City Center TIF District Fund - Total not to exceed \$4,750,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund) **[04-3467; APPROVED]**
56. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse LB 1200 Main LP for funds advanced pursuant to a development agreement between the City and LB 1200 Main LP or its affiliates in an amount not to exceed \$4,750,000, plus interest, for environmental remediation, demolition and other authorized improvements related to the redevelopment of 1200 Main Street in the City Center TIF District - Financing: No cost consideration to the City **[04-3468; APPROVED]**
57. 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 and a resolution accepting deed restrictions volunteered by the applicant - Z034-278(MM) - Financing: No cost consideration to the City **[04-3469; ORDINANCE 25817; APPROVED]**
58. Authorize the application for and acceptance of grant funds from the Department of State Health Services for the continuation of the City of Dallas Immunization Initiative Program for the period January 1, 2005 through December 31, 2005 - Not to exceed \$243,761 - Financing: Department of State Health Services **[04-3470; APPROVED]**
59. Authorize an Interlocal Agreement with Denton County for reimbursement of costs associated with ambulance and related services within Denton County from October 1, 2004 through September 30, 2005 - Revenue: \$11,353 **[04-3471; APPROVED AS AN INDIVIDUAL ITEM]**
60. Authorize adoption and implementation of the 2005-09 Affirmative Action Plan for the City of Dallas - Financing: No cost consideration to the City **[04-3472; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

61. Authorize approval of amendments to the City of Dallas review criteria for multifamily project

applications seeking City of Dallas approval for tax-exempt mortgage revenue bond and/or low income housing tax credits financing - Financing: No cost consideration to the City **[04-3473; APPROVED AS AN INDIVIDUAL ITEM]**

62. Authorize the reconstruction on-site of three homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1910 Nomias Street, 3311 Culver Street, and 1422 Harlandale Avenue - Not to exceed \$70,000 each for a total not to exceed \$210,000 - Financing: 2004-05 HOME Funds **[04-3474; APPROVED]**

Note: Item Nos. 63 & 64 must be considered collectively.

Trinity River Project Legislative Services

63. * Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Project from December 13, 2004 through December 12, 2005 - Not to exceed \$60,000 - Financing: Current Funds **[04-3475; APPROVED]**
64. * Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Project from December 13, 2004 through December 12, 2005 - Not to exceed \$35,000 - Financing: Current Funds **[04-3476; APPROVED]**
65. Authorize the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving access to public library resources and services for Dallas residents - \$120,503 - Financing: Loan Star Libraries Grant Funds **[04-3477; APPROVED]**
66. Authorize application for and acceptance of grant funds from the Texas Commission on the Arts for general operation and project support to arts and cultural organizations in the City of Dallas for the period September 1, 2004 through August 31, 2005, and execution of the grant agreement - \$60,106 - Financing: Texas Commission on the Arts Grant Funds **[04-3478; APPROVED]**
67. Authorize a contract with David Newton to re-create and install two 1936 sculptures, "The Contralto" and "The Countertenor," located at the Fair Park Esplanade - Not to exceed \$165,000 - Financing: 2003 Bond Funds **[04-3479; APPROVED]**
68. Authorize a twelve-month personal services contract with Uriah Elion, Jr. as Studio Manager of the South Dallas Cultural Center to coordinate all activities in the studio lab - Not to exceed \$30,000 - Financing: Current Funds **[04-3480; APPROVED]**
69. Authorize the issuance of tax-exempt financing by the Red River Education Facilities Corporation in the amount not to exceed \$4,000,000 for the benefit of Good Shepherd Episcopal School - Financing: No cost consideration to the City **[04-3481; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

70. An ordinance amending Chapter 40A, "Retirement," of the Dallas City Code revising certain provisions of the Employees' Retirement Fund of the City of Dallas to comply with federal tax requirements related to qualified pension plans; providing a savings clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City **[04-3482; ORDINANCE 25818; APPROVED]**
71. An ordinance amending Chapter 2 of the Dallas City Code to define terms; make City contracting procedures consistent with state law; and to provide for the sale of unclaimed and surplus property at the City Store - Financing: No cost consideration to the City **[04-3483; ORDINANCE 25819; APPROVED]**
72. Authorize application for a matching grant in the amount of \$2,000,000 from the Texas Parks and Wildlife Department for the development of the Trinity Interpretive Center - Financing: This action has no cost consideration to the City **[04-3484; APPROVED]**
73. Authorize **(1)** the application for and acceptance of the 2004-05 Helmet Enforcement and Documentation Selective Traffic Enforcement Program grant in the amount of \$78,000 for enforcing motorcyclist helmet use from the Texas Department of Transportation for the period of October 1, 2004 through September 30, 2005, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$22,012, and **(3)** execution of the grant agreement - Total not to exceed \$100,012 - Financing: Current Funds (\$22,012) and Texas Department of Transportation Grant Funds (\$78,000) **[04-3485; APPROVED]**
74. Authorize **(1)** the application for and acceptance of the 2004-05 Speed Selective Traffic Enforcement Program grant in the amount of \$517,950 for traffic related activities from the Texas Department of Transportation for the period of October 1, 2004 through September 30, 2005, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$145,290 and cash match in the amount of \$3,100, and **(3)** execution of the grant agreement - Total not to exceed \$666,340 - Financing: Texas Department of Transportation Grant Funds (\$517,950), Current Funds (\$148,390) **[04-3486; APPROVED]**
75. Authorize an agreement with the Dallas County District Attorney's Office to fund the Diversion and Expedited Rehabilitation and Treatment Program Court for providing the drug offender court program with a new case management system and eye scanner monitoring system to improve management efficiency - Not to exceed \$75,000 - Financing: U. S. Department of Justice Grant Funds, Local Law Enforcement Block Grant Funds **[04-3487; APPROVED]**
76. Authorize an Interlocal Agreement and Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period February 3, 2005 through February 2, 2006 - Financing: No cost consideration to the City **[04-3488; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

77. Authorize an Interlocal Agreement with the North Central Texas Council of Governments to provide traffic engineering services to update traffic signal timings and signal progression at 266 locations (list attached) - \$192,579 - Financing: 1995 Bond Funds **[04-3489; APPROVED]**
78. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation for reimbursement of material and labor provided by the City for hardware upgrades at 19 signalized locations and signal timing improvements at 266 locations (list attached) in an amount not to exceed \$371,872, and **(2)** a required local match in an amount not to exceed \$54,386 - Total not to exceed \$426,258 - Financing: Texas Department of Transportation (\$371,872), 1995 Bond Funds (\$54,386) **[04-3490; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [04-3491]

79. An application for and an ordinance granting an amendment to the development and landscape plan for Planned Development District No. 611 for a Public school other than an open-enrollment charter school, a Utility or government installation other than listed and further limited to a maintenance facility for maintenance of public school facilities, and R-7.5(A) Single Family District Uses on property bounded by Fuller Drive, Hermosa Drive, Stevens Street, and Losa Drive
Recommendation of Staff and CPC: Approval
Z034-152 (RB) [04-3492; ORDINANCE 25820; CPC RECOMMENDATION FOLLOWED]
80. An application for and an ordinance granting an MU-3 Mixed Use District on property zoned a GO(A) General Office District on the west line of North Central Expressway north of Forest Lane
Recommendation of Staff and CPC: Approval
Z034-279 (RB) [04-3493; ORDINANCE 25821; CPC RECOMMENDATION FOLLOWED]
81. An application for and an ordinance granting an amendment to create a new Subdistrict for a hospital, convalescent and nursing home, hospice uses, and related institutions and TH-1 (A) Townhouse District uses on property within Planned Development District No. 173, on the east side of Hillcrest Road, south of the President George Bush Freeway (SH 190) and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Approval, subject to a development plan and conditions
Recommendation of CPC: Approval subject to a development plan and conditions and deed restrictions volunteered by the applicant
Z034-286 (WE) [04-3494; ORDINANCE 25822; APPROVED AS AMENDED]

ZONING CASES - CONSENT (Continued)

82. An application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on Tract 1 on property zoned an RR Regional Retail District with H-90, Historic Overlay District No. 90 on a portion of the site and a Specific Use Permit for a Private recreation center, club, or area on Tract 2 on property zoned an MF-2(A) Multifamily District, on the northwest corner of Jefferson Boulevard and Marsalis Avenue
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z034-288(RB) [04-3495; **ORDINANCE 25823; CPC RECOMMENDATION FOLLOWED**]
83. A City Plan Commission authorized hearing to determine proper zoning on property zoned an MF-1 Multiple-family Subdistrict, an MF-2 Multiple-family Subdistrict, an O-2 Office Subdistrict, and Planned Development Subdistrict No. 55 within Planned Development No. 193, the Oak Lawn Special Purpose District, located on property adjacent to Throckmorton Avenue between Avondale Avenue and Hawthorne Avenue and an ordinance granting a Planned Development Subdistrict for TH Townhouse Subdistrict and O-2 Office Subdistrict uses within Planned Development No. 193 and a resolution accepting deed restrictions volunteered by a property owner
Recommendation of Staff and CPC: Approval, subject to conditions and deed restrictions volunteered by a property owner
Z034-289 (DW) [04-3496; **ORDINANCE 25824; CPC RECOMMENDATION FOLLOWED**]
84. An application for and an ordinance granting an amendment to Planned Development No. 68 for a Medical/office facility on the east side of Preston Road, between Willow Lane and Churchill Way
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z034-300 (WE) [04-3497; **ORDINANCE 25825; CPC RECOMMENDATION FOLLOWED**]
85. An application for and an ordinance granting a Planned Development District for a Church and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District, at the northwest corner of Hillcrest Road and Willow Lane
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions
Z034-308 (DW) [04-3498; **ORDINANCE 25826; CPC RECOMMENDATION FOLLOWED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

86. An application for and an ordinance granting an amendment to the Tract 1 and 1A portion of Planned Development District No. 260 to allow the following uses by Specific Use Permit: Medical clinic or ambulatory surgical center and an In-patient rehabilitation facility; and an ordinance granting a Specific Use Permit for a Medical clinic or ambulatory surgical center and an In-patient rehabilitation facility on the west side of North Central Expressway, north of Park Lane
Recommendation of Staff: Approval of an amendment to Planned Development District No. 260, and approval of a Specific Use Permit for a permanent time period, subject to a site plan and conditions
Recommendation of CPC: Approval of an amendment to Planned Development District No. 260, and approval of a Specific Use Permit for a fifty-year period, with eligibility for automatic renewal for additional fifty-year periods, subject to a site plan and conditions
Z034-310 (RB) [04-3499; ORDINANCES 25827 AND 25828; CPC RECOMMENDATION FOLLOWED]
87. An application for and an ordinance granting a Planned Development District for CR Community Retail District uses on property zoned an LI Light Industrial District on the southeast corner of the intersection of West Illinois Avenue and Coombs Creek Drive with consideration given to a CR Community Retail District
Recommendation of Staff: Denial of a Planned Development District for CR Community Retail District uses and approval of a CR Community Retail District.
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z034-315 (MM) [04-3500; ORDINANCE 25829; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

88. An application for and an ordinance granting an MU-1 Mixed Use District on property zoned an IR Industrial Research District on the east line of Memphis Street, northeast of Mississippi Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z034-314(RB) [04-3501; ORDINANCE 25830; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

89. An application for and an ordinance granting the creation of a new Subdistrict for townhouse uses on property within Subarea A of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the north side of Greenbriar Lane, west of Zang Boulevard
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-301 (WE) [04-3502; CONTINUED UNTIL 01/26/05; HEARING OPEN]
Note: This item was considered by the City Council at a public hearing on November 10, 2004, and was taken under advisement until December 8, 2004, with the public hearing open.

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

90. An application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District located south of LBJ Freeway, west of Preston Road
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for ten-year periods, subject to a site plan, landscape plan and conditions.
Recommendation of CPC: Approval for a thirty-year period, with eligibility for automatic renewals for ten-year periods, subject to a site plan, landscape plan and conditions
Z034-291 (DW) [04-3503; DENIED]
Note: This item was considered by the City Council at public hearings on October 27 and November 10, 2004, and was taken under advisement until December 8, 2004, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS

91. Consideration of an amendment to Chapters 51 and 51A of the Dallas Development Code regarding the screening of garbage storage areas and an ordinance implementing the changes
Recommendation of Staff and CPC: Approval
DCA 034-011 (SR) [04-3504; ORDINANCE 25831; CPC RECOMMENDATION FOLLOWED]

THOROUGHFARE PLAN AMENDMENTS

92. A public hearing to receive citizens' comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Motor Street from Harry Hines Boulevard to Cass Street to a four-lane divided roadway within 90 feet of right-of-way and Motor Street from Cass Street to Maple Avenue to a five-lane undivided roadway within 85 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City **[04-3505; ORDINANCE 25832; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS

Unimproved Property at 2806 Troy

Note: Item Nos. 93 and 94 must be considered collectively.

93. * A public hearing to receive citizens' comments on an amended proposal from South Dallas Fair Park Innercity Community Development Corporation, a qualified non-profit organization, to consider changes and time extension for the development of the unimproved property at 2806 Troy obtained through the House Bill 110 process - Financing: No cost consideration to the City **[04-3506; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Unimproved Property at 2806 Troy
(Continued)

Note: Item Nos. 93 and 94 must be considered collectively.

94. * Authorize **(1)** the acceptance of amended proposal from South Dallas Fair Park Inncity Community Development Corporation for the development of the unimproved property at 2806 Troy obtained through the House Bill 110 process, and **(2)** a time extension for the development and execution of a correction deed and amended deed restrictions - Financing: No cost consideration to the City **[04-3506; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

95. 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) **[04-3507; APPOINTMENTS MADE TO BOARDS]**
96. Authorize **(1)** acceptance of the final report on Improving the City's Effectiveness in Code Compliance and Economic Development, developed by McKinsey & Company; and, **(2)** the Interim City Manager to review the final report and present an implementation plan to the Steering Committee - Financing: No cost consideration to the City **[04-3508; APPROVED]**
97. Authorize acceptance of a zoning application with delinquent taxes on property located at 3200 East Kiest Boulevard - Financing: No cost consideration to the City **(Requires a 2/3 vote of the City Council for approval) [04-3509; APPROVED]**
98. Authorize hardship relief for property located at 1311 Ft. Worth Avenue No. 101 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 **[04-3510; POSTPONED UNTIL 01/26/05]**
99. Authorize hardship relief for property located at 1311 Ft. Worth Avenue No. 102 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 **[04-3511; POSTPONED UNTIL 01/26/05]**
100. Authorize hardship relief for property located at 1311 Ft. Worth Avenue No. 103 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 **[04-3512; POSTPONED UNTIL 01/26/05]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

101. Authorize hardship relief for property located at 1411 Ft. Worth Avenue No. 101 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 **[04-3513; POSTPONED UNTIL 01/26/05]**
102. Authorize hardship relief for property located at 1411 Ft. Worth Avenue No. 102 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 **[04-3514; POSTPONED UNTIL 01/26/05]**
103. Authorize hardship relief for property located at 201 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 **[04-3515; APPROVED]**
104. Authorize hardship relief for property located at 2106 Sylvan 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 **[04-3516; APPROVED]**
105. Authorize hardship relief for property located at 2121/2127 Sylvan 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 **[04-3517; APPROVED]**
106. Authorize hardship relief for property located at 2354 Hardwick 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 **[04-3518; APPROVED]**
107. Authorize hardship relief for property located at 4512/4516 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 **[04-3519; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

108. Authorize hardship relief for property located at 3237 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 **[04-3520; DENIED]**
109. Authorize hardship relief for property located at 3625 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 **[04-3521; APPROVED]**
110. Authorize hardship relief for property located at 3701 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 **[04-3522; APPROVED]**
111. An ordinance amending Chapter 28 of the Dallas City Code designating school traffic zones and regulating the speed and direction of vehicles on certain streets, expressways, and freeways (list attached) - Financing: No cost consideration to the City **[04-3523; ORDINANCE 25833; APPROVED AS AMENDED]**

**Offices of Emergency Management
and Economic Development**

Note: Item Nos. 112 & 113 must be considered collectively.

112. * An ordinance amending Chapter 2 and 14B of the Dallas City Code to define terms; create the Office of Economic Development, to be a division of the City Manager's Office; transfer certain functions from the Department of Development Services to the Office of Economic Development; rename the Office of Emergency Preparedness as the Office of Emergency Management and make it a division of the City Manager's Office; revise the Emergency Management ordinance to comply with state law; and make certain nonsubstantive changes - Financing: No additional cost consideration to the City **[04-3524; ORDINANCE 25834; APPROVED]**
113. * Authorize **(1)** the transfer of positions from the Dallas Fire Department to the newly created Office of Emergency Management, **(2)** the transfer of positions from the Department of Development Services to the newly created Office of Economic Development, and **(3)** the transfer of FY 2004-05 appropriations in the amount of \$555,849 from the Dallas Fire Department to the Office of Emergency Management and \$2,102,592 from the Department of Development Services to the Office of Economic Development - Financing: No additional cost consideration to the City **[04-3525; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

114. An ordinance abandoning a portion of an alley to Ironwood Partners, Ltd., the abutting owner, containing approximately 904 square feet of land located near the intersection of Preston Road and State Highway 190, and authorizing the quitclaim - Revenue: \$13,300 plus the \$20 ordinance publication fee **[04-3526; ORDINANCE 25835; APPROVED]**
115. Authorize hardship relief for property located at 2942 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 **[04-3527; DENIED]**
116. An ordinance amending Chapter 41A of the Dallas City Code to reduce the annual fee for a sexually oriented business license from \$4,800 to \$1,400 - Estimated Annual Revenue Loss: (\$130,000) **[04-3528; DELETED]**

ADDENDUM

ADDITIONS:

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

1. Authorize twenty-four-month professional services contracts with forty-two firms for geotechnical investigation, materials testing, asbestos environmental and nonasbestos environmental testing services (list attached) - Not to exceed \$10,285,360 - Financing: Current Funds (\$4,145,360), Water Utilities Capital Construction Funds (\$3,000,000), 2003 Bond Funds (\$2,000,000), Aviation Current Funds (\$500,000), 2004-05 Community Development Grant Funds (\$400,000), 1995 Bond Funds (\$100,000), 1998 Bond Funds (\$75,000), Convention and Event Services Current Funds (\$40,000), Neighborhood Investment Program Funds (\$25,000) **[04-3529; APPROVED]**

Authorization of Contracts

2. Authorize **(1)** a contract for demolition and construction of the foundation and electrical vault at 1524 Main Street with Key Construction, lowest responsible bidder of two, in an amount not to exceed \$1,049,000, **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management, **(3)** an increase in appropriations in the amount of \$99,000 in the City Center TIF District Fund, and **(4)** payment to Dunhill 1530 Main LP in an amount not to exceed \$250,000 for design, reimbursables and construction management - Total not to exceed \$1,299,000 - Financing: City Center TIF District Funds (\$1,200,000), Private Funds (\$99,000) **[04-3530; REJECTED AND REBID]**

LAND MISCELLANEOUS

3. A resolution authorizing conveyance of a utility easement to Farmers Electric Cooperative, Inc., containing approximately 2,600 square feet of land for the construction and maintenance of electric and utility facilities across fee simple right-of-way located in Rains County - Revenue: \$1,000 **[04-3531; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS (Continued)

4. Authorize the release of non-tax City liens against 3 vacant properties located at 2415, 2419 and 2519 Meyers Street owned by SouthFair Community Development Corporation in exchange for SouthFair providing an unsecured promissory note in the amount of the non-tax liens, estimated to be \$66,104, and providing a 30-unit mixed-income single-family subdivision to be located in the 2800 block of Park Row Avenue and South Boulevard, of which a minimum of 10 units must be affordable for sale to low-income households - Estimated revenue foregone: \$66,104 **[04-3532; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

5. Authorize a sixty-month service contract for cafeteria and vending services at Dallas City Hall with the most advantageous proposer of four - The Swanson Corporation - Revenue: \$4,800 annually **[04-3533; APPROVED]**

MISCELLANEOUS

6. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P. for legal services necessary for representation of the City of Dallas in the lawsuits styled Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K; Victor Alvarado DeLeon v. Mark DeLaPaz, et al., Cause No. 3:02-CV-1097-K; Jacinto Jesus Mejia v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0352-K; Lorenzo Escamilla v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0848-D; Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K; George Sifuentez v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0961-D; Yvonne Gywn v. Mark DeLaPaz, et al., Cause No. 3:03-CV-2121-K; Everett & Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K; Chavez, et al. v. DeLaPaz, et al., Cause No. 3:04-CV-0510-K; Pineda v. City of Dallas, et al., Cause No. 3:04-CV-0071-K - Not to exceed \$200,000, from \$200,000 to \$400,000 - Financing: Current Funds **[04-3534; APPROVED]**
7. Authorize settlement of the lawsuit styled Gilbert Thorpe, Sr. v. City of Dallas and K.S. Morris, Cause No. 02-10066-H - \$7,500 - Financing: Current Funds **[04-3535; APPROVED]**
8. An ordinance amending Chapter 12A of the Dallas City Code to eliminate the expiration date for the City Code of Ethics - Financing: No cost consideration to the City **[04-3536; ORDINANCE 25836; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

9. Authorize an amendment to the 2005 Employee and Retiree Health Benefits Plan to limit the covered expense of bariatric surgery as a treatment for morbid obesity to \$5,000 annually - Financing: No cost consideration to the City **[04-3537; APPROVED AS AN INDIVIDUAL ITEM]**
10. Authorize an amendment to Resolution No. 04-1483, previously approved on April 28, 2004, to change the approved construction cost from \$3,700,000 to \$3,338,722 in support of Texas Department of Housing and Community Affairs low income housing tax credit financing for the acquisition and rehabilitation of Shiloh Village Apartments, an existing 168-unit multifamily development for families located at 8702 Shiloh Road and establish an annual monitoring fee in the amount of \$500 - Financing: No cost consideration to the City **[04-3538; APPROVED]**
11. Authorize designation of the Old Trinity Meanders property from Stemmons Freeway to Motor Street as a park subject to the primary use for storm water management purposes - Financing: This action has no cost consideration to the City **[04-3539; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

12. Authorize a moving expense payment for Phillip W. Johnson, et al., whose business, Linfield Road Corporation, was displaced as a direct result of the acquisition of a tract of land containing approximately 89.975 acres located near the intersection of Linfield Road and Hull Avenue in conjunction with the Trinity River Corridor Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds **[04-3540; APPROVED]**
13. Authorize hardship relief for property located at 2505/2515 Willowbrook Road 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 **[04-3541; APPROVED]**
14. Authorize hardship relief for property located at 2285 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 **[04-3542; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

15. Authorize hardship relief for property located at 3113 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 **[04-3543; APPROVED]**

16. A resolution declaring the City of Saratov, Russia as an official Sister City of the City of Dallas in accordance with the guidelines and criteria for selecting a new Sister City (Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill, and Councilmembers Thornton-Reese, Fantroy, Finkelman, Lill, Garcia, Salazar, Griffith, Greyson, Oakley, Chaney, Blaydes, and Rasansky via Mayor Miller) **[04-3544; APPROVED]**

DELETION:

23. Authorize the private sale by quitclaim deed of an improved property located at 2643 Jeffries Street acquired by the taxing authorities from a Sheriff's Sale to Southfair Community Development Corporation - Revenue: \$18,199 **[04-3435]**

