

AGENDA
CITY COUNCIL MEETING
JANUARY 12, 2005
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) [05-0120]

Agenda Item/Open Microphone Speakers [05-0121]

VOTING AGENDA

1. Approval of Minutes of the December 8, 2004 City Council Meeting [05-0122;
APPROVED AS CORRECTED]

CONSENT AGENDA [05-0123]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Huitt-Zollars, Inc. for the design of the hike and bike trail improvements at Bachman Lake Park located at 3500 Northwest Highway - \$92,780 - Financing: 2003 Bond Funds [05-0124;
APPROVED]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for the historic restoration and repair of various landscape features, pavilion and rest rooms, roadways and parking areas at Flagpole Hill in White Rock Lake Park - \$93,895 - Financing: 2003 Bond Funds **[05-0125; APPROVED]**

Authorization of Contracts

4. Authorize **(1)** a contract for historic facade rehabilitation related to the redevelopment of the Gulf States Building at 1415 Main Street with Key Construction, Inc., lowest responsible bidder of four, in an amount not to exceed \$2,594,000, **(2)** assignment of the contract to G. S. Murray Development for construction management, and **(3)** payment to G. S. Murray Development in an amount not to exceed \$994,360 for design, reimbursables and construction management - Total not to exceed \$3,588,360 - Financing: City Center TIF District Funds **[05-0126; APPROVED]**

Construction Miscellaneous

5. Authorize an amendment to Resolution No. 03-1829, previously approved on June 25, 2003, to reflect an increase in the City's share of projected actual project costs in the agreement with the Texas Department of Transportation for runway improvements to include enhancements to runway drainage and upgrades to all runway lighting and signage at Dallas Executive Airport - Not to exceed \$17,261, from \$135,000 to \$152,261 - Financing: Aviation Capital Construction Funds **[05-0127; APPROVED]**
6. Authorize a twenty-year development agreement, with two five-year renewal options, with Texas! Music, a not-for-profit agency, to construct and operate a museum dedicated to the preservation of Texas music collections, memorabilia and music in the Hall of Religions Building at Fair Park located at 1111 First Avenue from January 21, 2005 through January 21, 2025 - Financing: No cost consideration to the City **[05-0128; DELETED]**
7. Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Industrial Boulevard from south of IH 30 to north of Commerce Street - \$530,000 - Financing: 1998 Bond Funds (\$150,000), 2003 Bond Funds (\$150,000), Water Utilities Capital Improvement Funds (\$230,000) **[05-0129; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

8. Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage and water main improvements on Ledbetter Extension from Merrifield Road to Mountain Creek Parkway - \$440,000 - Financing: 2003 Bond Funds (\$300,000), Water Utilities Capital Improvement Funds (\$140,000) **[05-0130; APPROVED]**
9. Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Live Oak Street from Liberty Street to Peak Street - \$415,001 - Financing: 2003 Bond Funds (\$220,001), Water Utilities Capital Improvement Funds (\$195,000) **[05-0131; APPROVED AS AN INDIVIDUAL ITEM]**
10. Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Preston Road from Park Lane to north of Royal Lane - \$420,002 - Financing: 2003 Bond Funds (\$250,002), Water Utilities Capital Improvement Funds (\$170,000) **[05-0132; APPROVED]**
11. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 98-430; 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 23, 2005, to receive citizens' comments (list attached) - Financing: No cost consideration to the City **[05-0133; APPROVED]**

LAND MISCELLANEOUS

12. An ordinance abandoning a wastewater easement to Venenca LP, the abutting owner, containing approximately 4,757 square feet of land located near the intersection of Creek Cove Drive and Ezekial Avenue, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-0134; ORDINANCE 25837; APPROVED]**
13. An ordinance abandoning a water main easement to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 6,464 square feet of land located near the intersection of Northwest Highway and Shady Brook Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-0135; ORDINANCE 25838; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS

14. An ordinance closing and vacating portions of Park Avenue, Gano Street and alleys containing approximately 53,720 square feet of land located near their intersections with St. Paul, Beaumont and Harwood Streets for the purpose of consolidating these areas with the adjacent City-owned park - Financing: No cost consideration to the City **[05-0136; ORDINANCE 25839; APPROVED]**
15. Authorize the private sale by quitclaim deed of a vacant lot located at 7727 Elam Road acquired by the taxing authorities from a Sheriff's Sale to Foundation for Housing Resources, Inc. - Revenue: \$8,727 **[05-0137; APPROVED]**
16. Authorize **(1)** a public hearing to be held on January 26, 2005 to receive citizens' comments on the proposed private sale by quitclaim deed of 2 unimproved properties located at 2621 Jeffries and 2642 Jeffries acquired by the taxing authorities from the Sheriff's Sale to SouthFair Community Development Corporation, a qualified non-profit organization; and, **(2)** at the close of the public hearing, consideration of approval of the sale of these properties - Financing: No cost consideration to the City **[05-0138; APPROVED]**
17. Authorize the release of lien on Lot 7, Block A/4256, 1102 Nolte Drive due to the cancellation of the sidewalk replacement project by property owners - Financing: No cost consideration to the City **[05-0139; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

18. Authorize a professional services contract with CWH Management Solutions to conduct a job analysis/test validation study for the physical abilities test for the Fire and Rescue Officer Trainee position - \$29,000 - Financing: Current Funds **[05-0140; APPROVED]**
19. Authorize a thirty-six-month price agreement for sign language services with the lowest responsible bidder of two - Deaf Action Center - Not to exceed \$125,000 - Financing: Current Funds **[05-0141; APPROVED]**
20. Authorize a thirty-six-month price agreement for the rental and maintenance of portable toilets with the lowest responsible bidder of two - Lone Star Portable Rest Rooms, L.P. - Not to exceed \$1,076,131 - Financing: Current Funds **[05-0142; APPROVED]**
21. Authorize a thirty-six-month price agreement for printing of water bill inserts with the lowest responsible bidder of nine - Sprint Press, Inc. - Not to exceed \$402,135 - Financing: Water Utilities Current Funds (\$256,755), Current Funds (\$145,380) **[05-0143; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

22. Authorize **(1)** an Interlocal Agreement with the North Texas Tollway Authority for the purchase and installation of the Automated Vehicle Identification System at Dallas Love Field in the amount of \$850,000; and, **(2)** a thirty-six-month maintenance agreement, with two thirty-six-month renewal options, in the amount of \$288,000 - Total not to exceed \$1,138,000 - Financing: Aviation Current Funds (\$288,000), Aviation Capital Construction Funds (\$850,000) **[05-0144; APPROVED AS AN INDIVIDUAL ITEM]**
23. Authorize a twenty-four-month price agreement for temporary industrial labor with the lowest responsible bidder of six - CTJ Maintenance, Inc. - Not to exceed \$2,203,119 - Financing: Current Funds (\$1,752,469) and Water Utilities Current Funds (\$450,650) **[05-0145; APPROVED]**
24. Authorize an increase in the service contract with CTJ Maintenance, Inc., for janitorial services at the Dallas Convention Center - Not to exceed \$220,000, from \$1,871,320 to \$2,091,320 - Financing: Convention and Event Services Current Funds **[05-0146; APPROVED]**
25. Authorize a twenty-four-month price agreement for communication headsets with the lowest responsible bidder of nine - Call One, Inc. - Not to exceed \$59,044 - Financing: Current Funds (\$52,044), Water Utilities Current Funds (\$6,000), Aviation Current Funds (\$1,000) **[05-0147; APPROVED]**
26. Authorize a twenty-four-month price agreement for radio equipment with the lowest responsible bidder of three - Motorola, Inc. - Not to exceed \$3,605,438 - Financing: Current Funds **[05-0148; APPROVED AS AN INDIVIDUAL ITEM]**
27. Authorize a sixty-month service contract for janitorial services at the Oak Cliff Municipal Center with the lowest responsible bidder of nine - Oriental Building Services - Not to exceed \$1,162,776 - Financing: Current Funds **[05-0149; APPROVED]**
28. Authorize a thirty-six-month price agreement for security gates, detection equipment and self-check units for the Dallas Public Library with the lowest responsible bidders of two - ID Systems USA, Inc. in the amount of \$348,605 and 3M Company in the amount of \$80,400 - Total not to exceed \$429,005 - Financing: Library Gifts and Donations (\$328,055), 2003 Bond Funds (\$100,950) **[05-0150; APPROVED]**
29. Authorize a thirty-six-month price agreement for folding tables and chairs with the lowest responsible bidders of three - MTS Seating in the amount of \$21,750, Southern Aluminum Mfg., Inc. in the amount of \$50,312, and Palmer Snyder in the amount of \$54,725 - Total not to exceed \$126,787 - Financing: Current Funds **[05-0151; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

30. Authorize a twenty-four-month price agreement for cement, paving chairs, tie wire, expansion joints and Kraft hand tools with the lowest responsible bidders of five - Concrete Accessories, Inc. in the amount of \$160,961, United Equipment Rentals Gulf, L.P. in the amount of \$76,013, and Southern Fastening Systems of Texas, LLC in the amount of \$14,240 - Total not to exceed \$251,214 - Financing: Water Utilities Current Funds (\$141,412), Current Funds (\$109,802) **[05-0152; APPROVED]**
31. Authorize a twenty-four-month price agreement for ferric chloride for the Central Wastewater Treatment and the Southside Wastewater Treatment Plants with the lowest responsible bidder of three - Kemiron Companies, Inc. - Not to exceed \$494,400 - Financing: Water Utilities Current Funds **[05-0153; APPROVED]**
32. Authorize a professional services contract to evaluate the Dallas Water Utilities customer information accounting and billing system with Jericho Consulting, Inc. - Not to exceed \$1,560,000 - Financing: Water Utilities Capital Construction Funds **[05-0154; APPROVED]**

MISCELLANEOUS

33. Authorize adoption of the Bryan Area Planned Development District No. 298 Bryan Area Study and approval of the recommendations contained therein as a guide for future development in the area generally bounded by Roseland Avenue to the north, Fitzhugh Avenue to the east, Gaston Avenue to the south, and Good Latimer/Central Expressway to the west - Financing: No cost consideration to the City **[05-0155; APPROVED AS AN INDIVIDUAL ITEM]**
34. An ordinance authorizing a correction to Ordinance No. 25530 for a Conservation District on property bounded by Greenville Avenue, Llano Avenue, Skillman Street and Belmont Avenue to correct the front yard setback - Z023-174(NB) - Financing: No cost consideration to the City **[05-0156; ORDINANCE 25840; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 36 and 37
must be considered collectively.

Oak Cliff Gateway TIF District

35. * Authorize an amendment to Ordinance Nos. 21466, 23033 and 23724, previously approved on December 9, 1998, for the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to **(1)** add language for an environmental remediation/Interior-exterior demolition, facade improvements category to allow funding of historic facade restoration, **(2)** amend the Oak Cliff Gateway TIF District Plan budget to allocate funding for environmental remediation/interior-exterior demolition, facade improvements, **(3)** amend the Plan to provide for the sale of TIF bonds to finance public use improvements in the TIF District to be repaid from the increment generated by future growth and development in furtherance of the objectives and implementation of the Plan, if and when conditions are met as set forth in future City Council actions; and **(4)** amend Ordinance Nos. 21466, 23848 and 23724, that created the Oak Cliff Gateway TIF District and adopted and amended the Plan for the Oak Cliff Gateway Tax Increment Financing District to reflect all such modifications to the Plan - Financing: No cost consideration to the City **[05-0157; ORDINANCE 25841; APPROVED AS AN INDIVIDUAL ITEM]**
36. * Authorize **(1)** a development agreement with Beckley Properties, LTD, for the funding of design, engineering and construction of public improvements for the renovation of buildings and structures to produce approximately 15,282 square feet of retail and office space, plus necessary parking located on the properties at 1101, 1111, 1115, 1119, 1121, 1129 N. Beckley Avenue and 1201-1207 El Dorado Street in Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District); and **(2)** the establishment of appropriations in an amount not to exceed \$450,000 in the Oak Cliff Gateway TIF District Fund - \$450,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds **[05-0158; POSTPONED UNTIL 01/26/05]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 36 and 37 must be considered collectively.

Oak Cliff Gateway TIF District

37. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) to reimburse Beckley Properties, LTD, for the funds advanced pursuant to a development agreement between the City of Dallas and Beckley Properties, LTD, in an amount not to exceed \$450,000 plus interest, for certain public improvements related to the renovation of buildings and structures to produce approximately 15,282 square feet of retail and office space, plus necessary parking located on the properties at 1101, 1111, 1115, 1119, 1121, 1129 N. Beckley Avenue and 1201-1207 Eldorado Street in Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District) - \$450,000 - Financing: To be advanced by a private developer and reimbursed from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds **[05-0159; POSTPONED UNTIL 01/26/05]**

Oak Cliff Gateway TIF District

Note: Item Nos. 38 and 39 must be considered collectively.

38. * Authorize **(1)** a development agreement with Top Dog - Oak Cliff, L.P., to provided for the funding of design and construction of public improvements for the renovation of Lake Cliff Tower building to produce 60 luxury condominiums located at 329 E. Colorado Boulevard and the new construction of 32,500 square feet of retail space on the adjoining and adjacent properties at 1300 N. Zang Boulevard and 1335 N. Zang Boulevard in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and **(2)** the establishment of appropriations in an amount not to exceed \$4,100,000 in the Oak Cliff Gateway TIF District Fund - \$4,100,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds **[05-0160; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 38 and 39 must be considered collectively.

Oak Cliff Gateway TIF District

39. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Three (Oak Cliff Gateway TIF District), to reimburse Top Dog - Oak Cliff, L.P., for the funds advanced pursuant to a development agreement between the City of Dallas and Evergreen Realty Partners, L. P., in an amount not to exceed \$4,100,000 plus interest, for certain public improvements related to the redevelopment of the Lake Cliff Tower building to produce 60 luxury condominiums located at 329 E. Colorado Boulevard and the new construction of 32,500 square feet of retail space on the adjoining and adjacent properties at 1300 N. Zang Boulevard and 1335 N. Zang Boulevard in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) - \$4,100,000 - Financing: To be advanced by a private developer and reimbursed from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds **[05-0161; APPROVED AS AN INDIVIDUAL ITEM]**
40. Authorize a contract with Welcome House, Inc. to provide facility based housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$237,299 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds **[05-0162; APPROVED]**
41. Authorize **(1)** the application for and acceptance of grant funds in the amount of \$59,200 from the Office of the Governor, Criminal Justice Division, Victims of Crime Act/Crime Victim Assistance Program for the provision of services for elderly victims of abuse for the period July 1, 2005 through June 30, 2006, **(2)** a local match in the amount of \$15,887, and **(3)** execution of the grant agreement - Total not to exceed \$75,087 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$59,200) and Current Funds (\$15,887) **[05-0163; APPROVED]**
42. Authorize a contract with AIDS Services of North Texas, Inc. to provide scattered site housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$129,137 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds **[05-0164; APPROVED]**
43. Authorize a contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$89,052 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds **[05-0165; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

44. Authorize a contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide Housing Opportunities for Person with AIDS facility based housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$518,122 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$509,091) and 2003-04 Housing Opportunities for Persons with AIDS Grant Funds (\$9,031) **[05-0166; APPROVED]**
45. Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide Housing Opportunities for Persons with AIDS scattered site housing assistance for the period March 1, 2005 through September 30, 2005 - Not to exceed \$892,473 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds **[05-0167; APPROVED]**
46. Authorize the reallocation of Urban Development Action Grant Funds from the Department of Development Services to Environmental and Health Services to provide a career preparation and training program for residents of West Dallas - Not to exceed \$155,000 - Financing: Urban Development Action Grant Funds **[05-0168; APPROVED]**
47. Authorize an amendment to the Program Statement for the Residential Development Acquisition Loan Program providing for the acquisition of improved and unimproved properties and demolition of improved properties - Financing: No cost consideration to the City **[05-0169; APPROVED]**
48. Authorize **(1)** a public hearing to be held on January 26, 2005 to receive citizens' comments on the proposed private sale by quitclaim deed of 6 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Foundation for Housing Resources, Inc., a qualified non-profit organization and **(2)** at the close of the hearing, consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City **[05-0170; APPROVED]**
49. Authorize the reconstruction on-site of five homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 2914 Spurlock Street, 1718 Dennison Street, 4004 Finis Lane, 1949 Gallagher Street, and 4030 Puget Street - Not to exceed \$70,000 each for a total not to exceed \$350,000 - Financing: 2004-05 HOME Funds **[05-0171; APPROVED]**
50. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to upgrade traffic signal hardware at seven intersections located throughout the City using funds from the federal Hazard Elimination Program administered by TxDOT; and, **(2)** a local match in an amount not to exceed \$33,036 (list attached) - Total not to exceed \$33,036 - Financing: 1995 Bond Funds **[05-0172; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

51. Authorize Supplemental Agreement No. 3 to the License Agreement with the City of Inglewood, California for a 3-month extension for the continued operation of the parking management information system from February 1, 2005 to April 30, 2005 - \$100,803 - Financing: Current Funds **[05-0173; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [05-0174]

52. An application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication for a monopole cellular tower on property zoned a CR Community Retail District on the northeast corner of Lancaster Road and Kiest Boulevard
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z034-224 (DW) [05-0175; ORDINANCE 25842; CPC RECOMMENDATION FOLLOWED]
53. An application for and an ordinance granting an amendment to, and an expansion of, Planned Development District No. 640 for an Open enrollment charter school on property zoned an MU-1 Mixed Use District, an MF-2(A) Multifamily District, and Planned Development District No. 640 on properties on all four corners at the intersection of Annex Avenue and Bryan Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-302 (WE) [05-0176; DELETED ON THE ADDENDUM]
54. An application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1522 for an Open-enrollment charter school 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, subject to a revised site plan and conditions
Z034-312 (RB) [05-0177; ORDINANCE 25843; CPC RECOMMENDATION FOLLOWED]
55. An application for and an ordinance granting a Planned Development District for RR Regional Retail District Uses and Multifamily Uses on property zoned an RR Regional Retail District on the southeast corner of Arapaho Road and Prestonwood Boulevard and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Approval, subject to a conceptual plan and conditions
Recommendation of CPC: Approval, subject to a conceptual plan, conditions, and deed restrictions volunteered by the applicant
Z034-334 (RB) [05-0178; ORDINANCE 25844; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

56. An application for and an ordinance granting an RR Regional Retail District on property zoned an MU-2 Mixed Use District on the south side of Camp Wisdom Road, west of South Westmoreland Avenue, and north of Interstate 20 and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z045-102 (MM) [05-0179; ORDINANCE 25845; APPROVED AS AMENDED]
57. An application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Bruton Road, east of St. Augustine Road
Recommendation of Staff: Approval for a twenty-year period with automatic renewal for additional twenty-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a ten-year period with automatic renewal for additional ten-year periods, subject to a site plan and conditions
Z045-103 (MM) [05-0180; ORDINANCE 25846; CPC RECOMMENDATION FOLLOWED]
58. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR Community Retail District; an ordinance granting the termination of Specific Use Permit No. 360 for a miniature golf course, game room, batting cages with related office space; and an ordinance granting a Specific Use Permit for Private Streets on property zoned an R-7.5(A) Single Family District and a CR Community Retail District on the south side of Northwest Highway, east of Lake Highlands Drive
Recommendation of Staff and CPC: Approval of an R-7.5(A) Single Family District on property zoned a CR Community Retail District; approval of a Specific Use Permit for private streets for a permanent time period, subject to a site plan and conditions; and approval of termination of Specific Use Permit No. 360
Z045-105 (MM) [05-0181; ORDINANCES 25847 and 25848 and 25849; CPC RECOMMENDATION FOLLOWED]

DEVELOPMENT CODE AMENDMENTS

59. Consideration of and an ordinance granting an amendment to Chapter 51P of the Dallas Development Code by codifying the regulations of Planned Development District Nos. 301 through 304, 306 through 313, 315 and 316, 318 through 321, 323 through 327, 329 through 349, 351 through 360, 362 through 365, 367 through 374, 377 through 380 and 382 through 400
Recommendation of Staff and CPC: Approval
DCA 034-010 [05-0182; ORDINANCE 25850; CPC RECOMMENDATION FOLLOWED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

60. 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) **[05-0183; APPOINTMENTS MADE TO BOARDS]**
61. Authorize hardship relief for property located at 914 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 **[05-0184; APPROVED]**
62. Authorize hardship relief for property located at 3860 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 **[05-0185; APPROVED]**
63. Authorize **(1)** public disclosure of a conflict of interest involving Edward Griffin, Senior Contract Compliance Administrator for the Environmental and Health Services Department and Yolanda Caldwell, sister of Edward Griffin, who is the Program Director of the YMCA Oak Cliff Branch, an organization receiving Community Development Block Grant Funds from the City, in compliance with U.S. Department of Housing and Urban Development directives governing Community Development Block Grant conflict of interest provisions, and **(2)** a request for waiver from the U.S. Department of Housing and Urban Development - Financing: No cost consideration to the City **[05-0186; APPROVED]**
64. Authorize **(1)** a Participation Agreement with the Dallas Independent School District for construction of a traffic signal at Beckleymeade Avenue and Polk Street, **(2)** the receipt and deposit of funds from the Dallas Independent School District in an amount not to exceed \$150,000, and **(3)** an increase in appropriations in the amount of \$150,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$150,000 - Financing: Private Funds **[05-0187; APPROVED]**
65. Authorize the preparation of plans for the issuance of \$245,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2005 - Financing: This action has no cost consideration to the City **[05-0188; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

66. Authorize a public hearing to be held on February 9, 2005, 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 **[05-0189; DID NOT PASS]**

67. Authorize a public hearing to be held on February 9, 2005, 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 **[05-0190; DID NOT PASS]**

ADDENDUM

ADDITIONS:

Closed Session **[05-0191; CLOSED SESSION HELD]**

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

- Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Jacinto Jesus Mejia v. City of Dallas, Cause No. 3:03-CV-0352-K
- Lorenzo Escamilla v. City of Dallas, et al., Cause No. 3:03-CV-0848-K
- Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K
- George Sifuentez v. City of Dallas, et al., Cause No. 3:03-CV-0961-K
- 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
- Legal issues involving sexually oriented business license for 2461 N. Stemmons Freeway

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc. for assistance with the preparation of the City of Dallas' Municipal Separate Storm Sewer System permit re-application - \$146,206, from \$463,528 to \$609,734 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds) **[05-0192; APPROVED]**

Construction Miscellaneous

2. Authorize rescinding the contract with Key Construction for historic facade restoration of the building at 1530 Main Street (Dallas National Bank Building) and the readvertisement for new bids - Financing: No cost consideration to the City **[05-0193; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS

3. A resolution declaring approximately 5,212 square feet of undevelopable City-owned land located on Hillcrest Road near its intersection with Starbuck Drive, unwanted and unneeded and authorize its sale to Magen David Congregation, the abutting owner - Revenue: \$18,763 **[05-0194; APPROVED]**
4. An ordinance abandoning a portion of the old Hillcrest Road to Magen David Congregation, the abutting owner, containing approximately 9,486 square feet of land located near its intersection with Starbuck Drive, and authorizing the quitclaim - Revenue: \$30,830 plus the \$20 ordinance publication fee **[05-0195; ORDINANCE 25851; APPROVED]**

MISCELLANEOUS

5. Authorize a professional services contract with the law firm of Hunton & Williams for legal services and related expenses necessary in the lawsuit styled Terrell Bolton v. City of Dallas, Texas, and City Manager Teodoro Benavides, in his official and individual capacities, Civil Action No. 3-04-CV-0501-R and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$150,000 - Financing: Current Funds **[05-0196; APPROVED]**
6. Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Offices of Deborah Hankinson PC, for legal services necessary in the lawsuit styled City of Dallas v. Kenneth E. Albert, et al, Case No. 05-03-01297-CV, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$50,000, from \$60,000 to \$110,000 - Financing: Current Funds **[05-0197; APPROVED]**
7. Authorize settlement of the lawsuit styled Shirley Duran v. City of Dallas and United National Insurance Company v. City of Dallas, Cause No. 03-11256-H - \$50,000 - Financing: Current Funds **[05-0198; APPROVED]**
8. Authorize a public hearing to be held on February 23, 2005 to receive citizens' comments on the reallocation of \$232,547 in Housing Opportunities for Persons with AIDS Grant Funds in the FY 1990-00 Consolidated Plan Budget - Financing: No cost consideration to the City **[05-0199; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

9. Authorize the Retail Recruitment Initiative Criteria establishing the Implementation Policy for the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City **[05-0200; APPROVED AS AMENDED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT

10. An application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses; CR Community Retail District uses; TH-3(A) Townhouse District uses; private recreation center, club or area; open spaces; and a private street on property zoned an MF-2(A) Multifamily District, a CR Community Retail District, a TH-3(A) Townhouse District and an R-7.5(A) Single Family District on the east line of Abrams Road, south of Forest Lane
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, development plan, and conditions
Z045-106 (WE) **[05-0201; ORDINANCE 25852; CPC RECOMMENDATION FOLLOWED]**
11. An application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict, MF-3-D Multiple Family Subdistrict with a D Dry Liquor Control Overlay and Planned Development Subdistrict 30 for Multiple Family Subdistrict uses with SUP No. 1376 for a Community Service Center within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Reagan Avenue, Brown Street, Shelby Avenue and Fairmount Avenue, and an ordinance granting the removal of SUP No. 1376 on a portion of the site
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions with retention of the D Dry Liquor Control Overlay and approval of the removal of Specific Use Permit No. 1376 on a portion of the site
Z034-303 (WE) **[05-0202; ORDINANCE 25853; CPC RECOMMENDATION FOLLOWED]**

ADDENDUM

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

12. An application for and an ordinance granting an amendment to, and expansion of, Planned Development Subdistrict No. 30 for Multiple Family Subdistrict Uses, and an ordinance granting an amendment to, and expansion of, Specific Use Permit No. 1376 for a Community service center on property zoned an MF-2 Multiple Family Subdistrict and Planned Development Subdistrict No. 30 in Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Reagan Street and Brown Street
Recommendation of Staff and CPC: Approval of an amendment to and expansion of Planned Development Subdistrict No. 30 and approval of an amendment to and expansion of Specific Use Permit No. 1376, subject to a site plan and conditions Z045-115 (RB) **[05-0203; ORDINANCES 25854 AND 25855; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - INDIVIDUAL

13. A City Plan Commission authorized hearing to determine proper zoning on property zoned a CA-1(A) Central Area District on the southwest corner of Cadiz Street and Ervay Street with consideration given to a Planned Development District for a homeless assistance center and those uses allowed in a CA-1(A) Central Area District and ordinances granting a Planned Development District and a Specific Use Permit for a homeless assistance center
Recommendation of Staff and CPC: Approval of a Planned Development District for CA-1(A) Central Area District uses and a homeless assistance center use subject to a conceptual plan and conditions and approval of a Specific Use Permit for a homeless assistance center use for a period to end January 31, 2006, subject to a site plan and conditions Z045-144 (DC) **[05-0204; ORDINANCES 25856 AND 25857; APPROVED AS AMENDED]**

DEVELOPMENT CODE AMENDMENT

14. Consideration of amendments to Chapters 51 and 51A of the Dallas Development Code to create a new use for a homeless assistance center and establish appropriate standards for the use with consideration also given to amending the standards for an overnight general purpose shelter use and an ordinance implementing the amendments
Recommendation of Staff: Approval
Recommendation of CPC: No change
DCA 045-006 **[05-0205; REFERRED BACK TO CITY PLAN COMMISISON]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

15. Authorize the acceptance of a settlement agreement and conveyance from Hamsher International, Ltd. of approximately 17,400 square feet of land improved with a 7-story parking garage located at the intersection of Commerce and Harwood Streets in lieu of approximately \$709,592 in delinquent hotel occupancy taxes and water liens, plus the City's proportionate share of ad valorem taxes - Financing: No cost consideration to the City **[05-0206; APPROVED]**
16. A resolution increasing the annual base salary of Acting City Manager, Mary K. Suhm, to \$250,000, and rescinding the compensation provisions of Resolution No. 04-3567, previously approved on December 20, 2004 (Mayor Miller) **[05-0207; APPROVED]**
17. A resolution endorsing the River of Trade Corridor Coalition, a coalition comprised of community and business representatives all along IH-35 and IH-30 from Laredo to Texarkana, via Dallas, which is commonly referred to as the historic North American Free Trade Agreement (NAFTA) Trade Corridor, and its initiative to ensure the NAFTA trade industry's long-term use of the historic NAFTA Trade Corridor - Financing: No cost consideration to the City **[05-0208; APPROVED]**
18. Authorize **(1)** a correction to the personnel records of three employees to change their employment status from "temporary" to "permanent"; and, **(2)** payment of associated City pension contributions and interest to the Employees' Retirement Fund - Total not to exceed \$17,190 - Financing: Current Funds (\$7,110), Building Inspection Current Funds (\$10,080) **[05-0209; APPROVED]**
19. Authorize a Pension Obligation Bond Agreement with the Employees' Retirement Fund of the City of Dallas in anticipation of Pension Obligation Bond issuance - Financing: No cost consideration to the City **[05-0210; APPROVED]**

DELETION:

53. An application for and an ordinance granting an amendment to, and an expansion of, Planned Development District No. 640 for an Open enrollment charter school on property zoned an MU-1 Mixed Use District, an MF-2(A) Multifamily District, and Planned Development District No. 640 on properties on all four corners at the intersection of Annex Avenue and Bryan Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z034-302 (WE) **[05-0176]**