

AGENDA
CITY COUNCIL MEETING
JANUARY 26, 2005
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) **[05-0320]**

Agenda Item/Open Microphone Speakers **[05-0321]**

VOTING AGENDA

1. Approval of Minutes of the January 12, 2005 City Council Meeting **[05-0322;]**

CONSENT AGENDA **[05-0323]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a contract for design/build with MetalMan Design/Build Corporation for the design services phase for a lion, African penguin, crocodile, iguana, and hornbill exhibits and other improvements at the Dallas Zoo located at 650 South R. L. Thornton Freeway - \$333,208 - Financing: 2003 Bond Funds **[05-0324; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for the construction of drainage relief improvements for the Gilford/Roanoke area between Harry Hines Boulevard and Thurston Drive - P & E Contractors, Inc., lowest responsible bidder of four - \$1,876,246 - Financing: 2003 Bond Funds **[05-0325; APPROVED]**
4. Authorize contract for the construction of bridge repairs and improvements to the Marsalis Avenue Bridge over Cedar Creek - Gibson and Associates, Inc., lowest responsible bidder of three - \$1,262,308 - Financing: 1995 Bond Funds (\$252,318), 2003 Bond Funds (\$1,009,990) **[05-0326; APPROVED]**
5. Authorize a contract for the construction of the Maintenance and Process Control Facility at the Central Wastewater Treatment Plant - Satterfield & Pontikes Construction, Inc., lowest responsible bidder of five - \$5,171,000 - Financing: Water Utilities Capital Improvement Funds **[05-0327; APPROVED]**

Contract Amendments

6. Authorize (1) Supplemental Agreement No. 2 to the design/build contract with Harrison, Walker & Harper, LP for roof replacement on Buildings #25 and #27, and additional reconstruction at the Dallas Naval Air Station/Hensley Field Operations Center located at 8200 West Jefferson Boulevard - \$500,000, from \$5,828,500 to \$6,328,500; and, (2) an increase in appropriations in the amount of \$500,000 in the Hensley Field Fund - Total not to exceed \$500,000 - Financing: Hensley Field Funds **[05-0328; APPROVED]**
7. Authorize (1) an increase in the contract with CST Environmental, Inc. for demolition and environmental remediation related to the redevelopment of the Dallas Power and Light Building at 1506-1512 Commerce Street in an amount not to exceed \$47,267, from \$2,667,631 to \$2,714,899; (2) an increase in the contract with Andres Construction Services, LLC for excavation for a future garage, replacement of windows, sills and exterior doors, and waterproofing related to the redevelopment of the Dallas Power and Light Building at 1506-1512 Commerce Street in an amount not to exceed \$25,398, from \$2,746,084 to \$2,771,482; (3) assignment of the contract to Hamilton DPL Development, Inc. for construction management; and (4) a decrease in the payment to Hamilton DPL Development, Inc. in an amount not to exceed (\$72,665), from \$1,089,444 to \$1,016,779 for design, reimbursables and construction management - Financing: No cost consideration to the City **[05-0329; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

8. Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for work associated with water infiltration repairs and miscellaneous interior improvements at the Southside Wastewater Treatment Plant Administration Building - \$89,963, from \$1,597,000 to \$1,686,963 - Financing: Water Utilities Capital Construction Funds **[05-0330; APPROVED]**

Construction Miscellaneous

9. Authorize payment to TXU Electric Delivery Company for the design and construction of a power line and ancillary equipment to be located at the Southside Wastewater Treatment Plant - \$655,000 - Financing: Water Utilities Capital Construction Funds **[05-0331; APPROVED]**

LAND ACQUISITION

10. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jose A. Carbajal and Maria D. Carbajal of approximately 8,880 square feet of land located near the intersection of Griffith and Llewellyn Avenues for the Cedar Creek Floodway project - \$39,000 - Financing: 1998 Bond Funds **[05-0332; APPROVED]**
11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the City of Carrollton of approximately 224 acres of unimproved land located in the area bounded by the Elm Fork Trinity River on the east, Sandy Lake Road to the south, Denton Creek to the west and the County line of Dallas to the north for the Elm Fork Water Treatment Plant Pre-Sedimentation Basin project - \$336,000 - Financing: Water Utilities Capital Improvement Funds **[05-0333; APPROVED]**
12. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Horace Elam and Ella Elam, of approximately 83 acres of land located at the intersection of Dowdy Ferry and Rylie Roads for the Trinity River Corridor project - \$206,200 - Financing: 1998 Bond Funds **[05-0334; APPROVED]**
13. Authorize acquisition of three street easements, including the exercise of the right of eminent domain, if such becomes necessary, from Stuart Margol, EF Properties One, L.P. and NAAN Properties, LLC containing a total of approximately 2,060 square feet located at the intersection of Hillcrest and Frankford Roads for the Hillcrest-Frankford Improvements project - \$23,186 - Financing: Capital Reimbursement Funds **[05-0335; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION (Continued)

14. Authorize settlement in lieu of proceeding with condemnation of Helen C. Holmes for a tract of unimproved land containing approximately 135,913 square feet for the Elm Fork Soccer Complex project located on Walnut Hill Lane between Spangler Road and Goodnight Lane - \$345,000 - Financing: 1998 Bond Funds **[05-0336; APPROVED]**

LAND MISCELLANEOUS

15. A resolution declaring approximately 7,307 square feet of City-owned land located at 1101 and 1107 Jefferson Boulevard near its intersection with Sixth Street unwanted and unneeded and authorizing its advertisement for sale by sealed bid with a minimum bid of \$16,806 - Financing: No cost consideration to the City **[05-0337; APPROVED]**
16. An ordinance abandoning a portion of an alley to Pony Properties, Inc., the abutting owner, containing approximately 982 square feet of land located near the intersection of Mockingbird Lane and North Central Expressway, and authorizing the quitclaim - Revenue: \$32,406 plus the \$20 ordinance publication fee **[05-0338; ORDINANCE 25859; APPROVED AS AN INDIVIDUAL ITEM]**
17. An ordinance abandoning a portion of a sanitary sewer easement to Wildwood Development Company I, Ltd., the abutting owner, containing approximately 7,500 square feet of land located near the intersection of Clark Road and Clarkridge Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-0339; ORDINANCE 25860; APPROVED]**
18. An ordinance abandoning Elmer Drive to Meadow Wood Homes, Inc., the abutting owner, containing approximately 3,633 square feet of land located near the intersection of Scyene Road and Delafield Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-0340; ORDINANCE 25861; APPROVED]**
19. An ordinance abandoning a portion of Obenchain Street to Dilbeck Court Limited, the abutting owner, containing approximately 17,787 square feet of land located between Seale Street and Sylvan Avenue, and authorizing the quitclaim - Revenue: \$60,476 plus the \$20 ordinance publication fee **[05-0341; ORDINANCE 25862; APPROVED]**
20. Authorize the acceptance of the only bid received from the Canfield Land Company for the conveyance of approximately 90,958 square feet of City-owned land at Lake Ray Hubbard located at 360 Gloria Road in exchange for a tract of unimproved land containing approximately 90,958 square feet located at 368 Gloria Road from the Canfield Land Company - Financing: No cost consideration to the City **[05-0342; APPROVED]**

CONSENT AGENDA (Continued)
PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

21. Authorize a sixty-month service contract for pest control services at City facilities with the lowest responsible bidders of four - Terminix International Co. LP in the amount of \$465,315 and Prime Pest Management in the amount of \$29,100 - Total not to exceed \$494,415 - Financing: Current Funds **[05-0343; APPROVED]**
22. Authorize a thirty-six-month service contract for hydraulic cylinder, pump and valve repair for refuse collection vehicles and fire trucks with the lowest responsible bidders of two - Herco Equipment in the amount of \$2,107,792 and Hydraulic Power Services Inc. in the amount of \$28,344 - Total not to exceed \$2,136,136 - Financing: Current Funds (\$2,133,521) and Aviation Current Funds (\$2,615) **[05-0344; APPROVED]**
23. Authorize a thirty-six-month price agreement for Kawasaki motorcycle parts and labor with the lowest responsible bidder of two - S. D. W. Ent., Inc. dba Kawasaki City - Not to exceed \$164,700 - Financing: Current Funds **[05-0345; APPROVED]**
24. Authorize a twenty-four-month service contract for scrap tire removal with the lowest responsible bidders of three - Nathaniel Energy Corporation in the amount of \$122,300 and Recovery Technologies Group of Texas, Inc. in the amount of \$197,650 - Total not to exceed \$319,950 - Financing: Current Funds (\$316,600), Water Utilities Current Funds (\$3,350) **[05-0346; APPROVED]**
25. Authorize a seventy-two-month service contract for elevator and escalator maintenance and repair with the lowest responsible bidders of four - United Elevator Services in the amount of \$2,235,819 and Larry Evans Elevator Service, Inc. in the amount of \$217,728 - Total not to exceed \$2,453,547 - Financing: Current Funds (\$2,235,819) and Water Utilities Current Funds (\$217,728) **[05-0347; APPROVED AS AN INDIVIDUAL ITEM]**
26. Authorize (1) the rejection of proposals for operation of a Business Assistance Center in West Dallas; and, (2) the re-advertisement for new proposals - Financing: No cost consideration to the City **[05-0348; APPROVED]**
27. Authorize a thirty-six-month price agreement for overhead door repair and maintenance, including parts and labor, with the lowest responsible bidder of three - Overhead Company of Dallas - Commercial - Not to exceed \$815,590 - Financing: Current Funds **[05-0349; APPROVED]**
28. Authorize a twenty-four-month price agreement for maintenance and support of the automated library system with SIRSI Corporation - Sole Source - Not to exceed \$191,673 - Financing: Current Funds (subject to annual appropriations) **[05-0350; APPROVED]**
29. Authorize a thirty-six-month price agreement for periodical, magazine and newspaper subscriptions for use at the Dallas Public Libraries with the only bidder - EBSCO Information Services - Not to exceed \$2,394,000 - Financing: Current Funds **[05-0351; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

30. Authorize a twenty-four-month price agreement for selection and purchase of library materials for the West Love Field, Timberglen, and Hampton-Illinois Libraries with the lowest responsible bidders of four - Baker & Taylor, Incorporated in the amount of \$1,545,320 and BWI in the amount of \$692,000 - Total not to exceed \$2,237,320 - Financing: 2003 Bond Funds **[05-0352; APPROVED]**
31. Authorize a thirty-six-month service contract to provide temporary industrial labor with the lowest responsible bidder of three - Recana Solutions - Not to exceed \$5,840,991 - Financing: Current Funds **[05-0353; APPROVED]**
32. Authorize a thirty-six-month service contract for sludge heater parts and labor for boilers at the Southside Wastewater Treatment Plant with the lowest responsible bidder of four - Page Boiler Works, Inc. - Not to exceed \$130,378 - Financing: Water Utilities Current Funds **[05-0354; APPROVED]**

MISCELLANEOUS

33. Authorize City sponsorship of in-kind support to Promoter Line, Inc. for a special event, A Smooth Summer Night's Jam Jazz - \$15,000 - Financing: Convention and Event Services Current Funds **[05-0355; APPROVED]**
34. Authorize a loan agreement with Hogg Automotive Service, Inc. located at 2321 Martin Luther King, Jr. Blvd. for the South Dallas/Fair Park Trust Fund service area to fund relocation expenses, signage, leasehold improvements, inventory, and operating capital - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds **[05-0356; APPROVED]**
35. Authorize adoption of the Fort Worth Avenue Corridor Land Use and Urban Design Plan and approval of the recommendations contained therein as a guide in the implementation of future development along the West Commerce Street/Fort Worth Avenue Corridor from N. Beckley Avenue to Westmoreland Road, approximately 1/8 to 1/4 mile on either side of the freeway - Financing: No cost consideration to the City **[05-0357; APPROVED]**

MISCELLANEOUS (Continued)

36. Authorize amendments to Resolution Nos. 03-2455 and 03-2456, previously approved on September 10, 2003, and Resolution No. 04-1714, previously approved on May 26, 2004, for environmental remediation, demolition, facade restoration, design and construction of certain public improvements related to a pedestrian access-way through 1608 Main Street, and other improvements related to the redevelopment of 1608 Main Street, to (1) increase funding in an amount not to exceed \$358,448, from \$1,555,512 to \$1,913,960 plus interest, (2) increase appropriations in the amount of \$263,328 in the City Center TIF District Fund, (3) increase the transfer of appropriations in the amount of \$95,120 in the City Center TIF District Fund, (4) increase the intent to reimburse Main Street Investors J.V. in the amount of \$263,328, from \$919,032 to \$1,182,360, (5) extend and add project deadlines, (6) correct the private investment, (7) include reimbursement in an amount not to exceed \$300,900 for environmental remediation, demolition, and related costs after completion, and (8) reflect related matters thereto - Total not to exceed \$358,448 - Financing: City Center TIF District Funds (\$263,328 to be advanced by a private developer and reimbursed from the City Center TIF District Fund) **[05-0358; APPROVED AS AN INDIVIDUAL ITEM]**

37. Authorize amendments to Resolution Nos. 04-0455 and 04-0456 previously approved on January 28, 2004, as amended, to change the name of the contracting party from Barker Nichols, LLC to BN-TIF, Inc. for the redevelopment of the Interurban Building located at 1500 Jackson Street located in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Financing: No cost consideration to the City **[05-0359; APPROVED]**

38. Authorize the reconstruction on-site of five homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1906 Homeland Street, 1915 Homeland Street, 3411 El Benito Street, 3524 Ladd Street, and 2415 Harding Street - Not to exceed \$70,000 each for a total not to exceed \$350,000 - Financing: 2004-05 HOME Funds **[05-0360; APPROVED]**

39. Authorize (1) an Interlocal Agreement with the Texas Department of State Health Services to receive and store CHEMPACK containers that hold medications, antidotes, and supplies to be used in the event of a bioterrorism or other mass casualty disaster or emergency; and (2) the acceptance of grant funds to upgrade storage sites to meet the requirements in the Interlocal Agreement that include temperature control, security controls, and alarm systems - \$21,000 - Financing: Texas Department of State Health Services Grant Funds **[05-0361; APPROVED]**

40. Authorize an Environmental Policy to (1) commit the City of Dallas to environmental compliance, pollution prevention, and continual improvement; and, (2) raise City employee's awareness and sensitivity to environmental related issues - Financing: No cost consideration to the City **[05-0362; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

41. Authorize an Interlocal Agreement with the Dallas County District Attorney's Office for reimbursement for the Dallas Police Department's participation in the Grants to Encourage Arrest Policies and Enforcement of Protective Orders Program for the period October 1, 2004 through September 30, 2006 - Not to exceed \$168,238 - Financing: U. S. Department of Justice Grant Funds (to be fully reimbursed from Dallas County) **[05-0363; APPROVED AS AN INDIVIDUAL ITEM]**
42. Authorize a five-year contract, with two five-year renewal options, with Lakeside Village Home Owners Association in Rockwall County to provide untreated water from Lake Ray Hubbard - January 26, 2005 through January 25, 2006 (\$2,957); January 26, 2006 through January 25, 2020 (\$2,591 annually) - Total Estimated Revenue: \$39,231 **[05-0364; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT **[05-0365]**

43. A City Plan Commission authorized hearing to determine proper zoning on property zoned an MF-2(A) Multifamily District with consideration being given for an R-5(A) Single Family District on an area bounded by Fifth Street, Elsbeth Street, El Dorado Street, and Ballard Avenue and an ordinance granting an R-5(A) Single Family District
Recommendation of Staff and CPC: Approval, of an R-5(A) Single Family District Z023-290(MJF) **[05-0366; ORDINANCE 25863; CPC RECOMMENDATION FOLLOWED]**
44. An application for and an ordinance granting an MU-3 Mixed Use District on property zoned an LO-3-D Limited Office District with a Dry Liquor Control Overlay and a P(A) Parking District on property bounded by Junius Street, Hill Street, Worth Street and Washington Avenue, excluding the north corner of Worth Street and Washington Avenue with consideration being given to an MU-2 Mixed Use District
Recommendation of Staff and CPC: Approval, of an MU-2 Mixed Use District with retention of the Dry Overlay in lieu of the request for an MU-3 Mixed Use District Z034-246(MM) **[05-0367; ORDINANCE 25864; APPROVED AS AMENDED]**
45. An application for and an ordinance granting a Planned Development District for UC-2 Urban Corridor District uses on property zoned an IR Industrial Research District on the east corner of Motor Street and Bengal Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions Z034-326(WE) **[05-0368; ORDINANCE 25865; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - CONSENT (Continued)

46. An application for and an ordinance granting a CS Commercial Service District on property zoned a CH Clustered Housing District north of McCallum Boulevard and west of Frank Jackson Drive and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-329(DW) [05-0369; CONTINUED UNTIL 02/09/05; HEARING OPEN]
47. An application for and an ordinance granting a CS Commercial Service District on property zoned a CH Clustered Housing District at the western terminus of Ronnie Drive, west of Frank Jackson Drive and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z045-101(MM) [05-0370; CONTINUED UNTIL 02/09/05; HEARING OPEN]
48. An application for and an ordinance granting an amendment to the Subdistrict D portion of Planned Development District No. 468 for Mixed Uses in the east quadrant of Colorado Boulevard and Zang Boulevard and the north quadrant of Zang Boulevard and Plowman Avenue
Recommendation of Staff and CPC: Approval, subject to a Tract 1 and 2 development plan/Tract 3 conceptual plan and conditions
Z034-331(RB) [05-0371; ORDINANCE 25866; APPROVED AS AMENDED]
49. An application for and an ordinance granting an amendment to Planned Development District No. 321 for MF-1(A) Multifamily District uses on the southeast corner of St. George Drive and Marvin D. Love Freeway (US Hwy. 67)
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z045-111(WE) [05-0372; ORDINANCE 25867; CPC RECOMMENDATION FOLLOWED]
50. An application for and an ordinance granting an amendment to and the expansion of Planned Development District No. 282 for a hospital, office and related uses, on property zoned Planned Development District No. 282 and Planned Development District No. 468, on property bounded by Beckley Avenue, Colorado Boulevard, Haines Avenue and Greenbriar Lane
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z045-112(DW) [05-0373; DELETED ON THE ADDENDUM]

ZONING CASES - CONSENT (Continued)

51. 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) [05-0374; ORDINANCE 25868; APPROVED AS AMENDED]
52. An application for and an ordinance granting a Planned Development District for uses allowed in an MU-2 Mixed Use District and a GO(A) General Office District, on property zoned a GO(A) General Office District and a resolution granting the termination of existing deed restrictions on the northeast corner of the intersection of Alpha Road and Noel Drive
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions and approval of the termination of the existing deed restrictions
Z034-320(MM) [05-0375; CONTINUED UNTIL 02/09/05; HEARING OPEN]
53. An application for and ordinances granting (1) two new subdistricts in Planned Development District No. 70 that allows alcoholic beverage consumption on site; (2) a D-1 Dry Liquor Control Overlay in place of the existing D Dry Liquor Control Overlay in subdistrict 1 and 2; and 3) a Specific Use Permit for restaurants with alcoholic beverage service in subdistrict 1 and 2 on the northeast corner of the intersection of Midway Road and Northwest Highway with consideration given to the removal of the D Dry Liquor Control Overlay in subdistrict 1 and 2
Recommendation of Staff and CPC: Approval, of (1) the creation of two new subdistricts in Planned Development District No. 70 that allows alcoholic beverage consumption on site, subject to a development plan and conditions; (2) the replacement of the D Dry Liquor Control Overlay with a D-1 Dry Liquor Control Overlay in subdistrict 1 and 2; and 3) a Specific Use Permit for restaurants with alcoholic beverage service in subdistrict 1 and 2, for a ten -year time period with eligibility of automatic renewal for additional ten-year time periods subject to a site plan and conditions
Z045-122(MM) [05-0376; CONTINUED UNTIL 02/09/05; HEARING OPEN]
54. Application for and an ordinance granting an amendment to Planned Development District No. 370 for IR Industrial Research District uses, a Group Residential Facility and an Overnight General Purpose Shelter on the northwest corner of the intersection of Calvert Street and Irving Blvd
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z045-124(MM) [05-0377; ORDINANCE 25869; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

55. An application for and an ordinance granting an RR-D Regional Retail District with retention of a Dry Liquor Control Overlay on property zoned a CR-D Community Retail District with a Dry Liquor Control Overlay, on the north side of Lake June Road between Oak Hill Road and Oak Ridge Drive and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-242(MM) [05-0378; ORDINANCE 25870; CPC RECOMMENDATION FOLLOWED]
56. An application and an ordinance granting an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, on the southwest side of Robert B. Cullum Boulevard, northwest of Birmingham Avenue and a resolution accepting the deed restrictions volunteered by the applicant
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z034-307(DW) [05-0379; ORDINANCE 25871; CPC RECOMMENDATION FOLLOWED]
57. An application for and an ordinance granting a CS Commercial Service District on property zoned an R-10(A) Single Family District north of the intersection of Seagoville Road and Belt Line Road and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z045-121(MM) [05-0380; ORDINANCE 25872; CPC RECOMMENDATION FOLLOWED]

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL

58. 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) [05-0381; CPC RECOMMENDATION FOLLOWED; ORDINANCE TO COME BACK AT LATER DATE]
Note: This item was considered by the City Council at public hearings on November 10, and December 8, 2004, and was taken under advisement until January 26, 2005, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Private Sale of Unimproved Properties Note: Item Nos. 59 and 60 must be considered collectively.

59. * A public hearing to receive citizens' comments on the proposed private sale by quitclaim deed of 8 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Foundation for Housing Resources, Inc. and Southfair Community Development Corporation, qualified non-profit organizations (list attached) - Financing: No cost consideration to the City **[05-0382; HEARING CLOSED]**
60. * Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of 8 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to qualified non-profit organizations (list attached) - Revenue: \$10,201 **[05-0382; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

61. 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) **[05-0383; APPOINTMENT MADE TO BOARDS]**
62. Authorize an extension of the substantial completion date from December 31, 2003 to December 31, 2004 for the tax abatement agreement with Pinnacle Industrial Center, LP for the construction of Building 4 of the Pinnacle Industrial Center, pursuant to Resolution No. 98-3664, previously approved on December 16, 1998 - Financing: No cost consideration to the City **[05-0384; APPROVED]**
63. Authorize hardship relief for property located at 1402 Ft. Worth Avenue from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[05-0385; DENIED]**
64. Authorize hardship relief for property located at 2307 May 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 **[05-0386; DENIED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

65. Authorize hardship relief for property located at 627 N. Westmoreland Road 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 **[05-0387; APPROVED]**
66. Authorize (1) a real property tax abatement agreement with Pinnacle Industrial Center, LP. for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property for Building E located within Enterprise Zone One in Pinnacle Park; and (2) rescinding Resolution No. 01-1440 previously approved on May 9, 2001 which authorized a tax abatement with Pinnacle Industrial Center, Inc. - Revenue: First-year tax revenue estimated at \$3,598; Ten-year revenue estimated at \$35,985; (Estimated revenue foregone for ten-year property abatement is \$323,865) **[05-0388; APPROVED]**
67. Authorize a real property tax abatement agreement with Jetro Holdings, Inc. for the purpose of granting a five-year abatement of 50 percent of the taxes on added value to the real property for its building located within Enterprise Zone One at 2151 Irving Boulevard - Revenue: First-year tax revenue estimated at \$14,394; Five-year revenue estimated at \$71,970; (Estimated revenue foregone for five-year property abatement is \$71,970) **[05-0389; APPROVED]**
68. Authorize a thirty-six-month professional services contract with Burson-Marsteller for the continuance of the advertising campaign and media placement for the promotion and reinforcement of water conservation initiatives - \$1,160,000 annually for a total not to exceed \$3,480,000 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[05-0390; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

Oak Cliff Gateway TIF District

Note: Item Nos. 69 and 70 must be considered collectively.

69. * 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 **[05-0391; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

Oak Cliff Gateway TIF District (Continued) Note: Item Nos. 69 and 70 must be considered collectively.

70. * 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 El Dorado 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 **[05-0392; APPROVED]**
71. 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 **[05-0393; DENIED]**
72. 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 **[05-0394; DENIED]**
73. 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 **[05-0395; DENIED]**
74. 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 **[05-0396; DENIED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

75. 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 **[05-0397; DENIED]**

ADDENDUM

ADDITIONS:

Closed Session **[05-0398; CLOSED SESSION HELD]**

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

- Legal issues relating to City Council's Order to Show Cause to TXU Electric Delivery respecting electric rate justification
- 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

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize (1) rescinding the contract with Mark North Erosion Systems, Ltd. for erosion control improvements in the 300 block of North Manus Drive, previously authorized on September 22, 2004 by Resolution No. 04-2758, in the amount of \$97,915; and, (2) a contract for the construction of erosion control improvements in the 300 block of North Manus Drive with the lowest responsible bidder of three - Texas Standard Construction, Ltd. - \$104,065 - Financing: 2003 Bond Funds **[05-0399; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

2. Authorize a service contract for citizen survey and comparative data analysis services with International City/County Management Association to collect citizen opinions regarding City of Dallas services and comparing those services and citizen opinions of other major cities - Sole Source - Not to exceed \$45,790 - Financing: Current Funds **[05-0400; APPROVED AS AN INDIVIDUAL ITEM]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

3. Authorize the purchase of computer hardware and maintenance from Sigma Solutions, Inc., through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program, for a software upgrade to the financial and accounting system - Not to exceed \$347,876 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes **[05-0401; APPROVED]**

MISCELLANEOUS

4. Authorize settlement of the lawsuit styled Eva Hampton and James Rabb v. Anthony Garner and City of Dallas, Cause No. 03-05799-A - \$17,500 - Financing: Current Funds **[05-0402; APPROVED]**
5. Authorize settlement of the lawsuit styled Kimberly Goffney v. Rodney Bernard Williams, Cause No. CC-03-10094-D - \$130,000 - Financing: Current Funds **[05-0403; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

6. Authorize an extension of the moratorium on the acceptance of applications for permits or certificates of appropriateness for a kiosk or kiosk signs until June 4, 2005 - Financing: No cost consideration to the City (Requires a 3/4 vote of the full City Council for approval) **[05-0404; APPROVED AS AMENDED]**
7. 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 **[05-0405; APPROVED]**

ADDENDUM

DELETION:

50. An application for and an ordinance granting an amendment to and the expansion of Planned Development District No. 282 for a hospital, office and related uses, on property zoned Planned Development District No. 282 and Planned Development District No. 468, on property bounded by Beckley Avenue, Colorado Boulevard, Haines Avenue and Greenbriar Lane
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z045-112(DW) [05-0373]