

**AGENDA**  
**CITY COUNCIL MEETING**  
**JUNE 8, 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) **[05-1700]**

Agenda Item/Open Microphone Speakers **[05-1701]**

VOTING AGENDA

1. Approval of Minutes of the May 11, May 15, and May 25, 2005 City Council Meetings **[05-1702; APPROVED]**

CONSENT AGENDA [05-1703]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with HNTB Corporation to provide boundary, topography and utility survey, environmental, trail planning, conceptual and schematic design and construction documents for trail improvements for the Old Trinity Trail located at Old Trinity Meanders from Oak Lawn Avenue to Motor Street - \$362,488 - Financing: 2003 Bond Funds **[05-1704; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize (1) professional services contracts with Architexas Architecture, Planning and Historic Preservation, Inc., Norman Alston Architects and Marcel Quimby Architecture/Preservation, Inc. for the period of June 8, 2005, through May 31, 2006, with two one-year renewal options, to provide the Historic American Buildings Survey Level I, Level III and Level IV documentation of National Register eligible and listed properties that are under demolition order by the City in an amount not to exceed \$80,000; and (2) a professional services contract with Preservation Dallas, for the period of June 8, 2005 through September 30, 2006, to conduct historic resource surveys of the South Dallas area in the amount of \$15,000 and the Tenth Street neighborhood in the amount of \$5,000 - Total not to exceed \$100,000 - Financing: 2002-03 Community Development Grant Funds (\$35,000), 2003-04 Community Development Grant Funds (\$15,000), and 2004-05 Community Development Grant Funds (\$50,000) **[05-1705; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize a professional services contract with Lopez Garcia Group to provide surveying, schematic design, bidding and construction documents for paving, grading and drainage improvements to the existing parking lot at Lake Highlands North Park located at 9344 Church Road - \$35,683 - Financing: 2003 Bond Funds **[05-1706; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize a professional services contract with A.N.A. Consultants, L.L.C. to provide topographic survey, conceptual design, design development, construction documents and construction administration for the construction of a concrete walking and jogging trail and erosion control along the trail alignment at Mountain Valley Park located at 1428 Merrifield Road - \$28,066 - Financing: 2003 Bond Funds **[05-1707; APPROVED]**
6. Authorize a professional services contract with Oglesby Greene, Inc. to provide topographic survey, schematic design, design development, construction documents, bidding and construction administration for improvements including a picnic pavilion, Americans with Disabilities Act compliant drinking fountain and sidewalks at Brownwood Park located at 3424 Walnut Hill Lane and a picnic pavilion, Americans with Disabilities Act compliant drinking fountain, parking area renovation and a foot bridge at the north end at Northaven Park located at 3800 Northaven - \$77,300 - Financing: 2003 Bond Funds **[05-1708; APPROVED]**
7. Authorize a professional services contract with Jones & Boyd, Inc. to provide topographic survey, schematic design, design development, construction documents, bidding and construction administration for improvements including a new parking lot, renovation of existing ball fields and replacement of field lighting at Jaycee/Zaragoza Park located at 3114 Clymer - \$59,560 - Financing: 2003 Bond Funds **[05-1709; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

8. Authorize a contract for site improvements including a playground, multi-use court and site furnishings at Elmwood Parkway located at 2200 Rugged - A S Con., Inc., lowest responsible bidder of seven - \$125,100 - Financing: 2003 Bond Funds **[05-1710; APPROVED]**
9. Authorize a contract for site improvements including renovation of the existing ball field, installation of metal bollards and Americans with Disabilities Act access to the recreation center and tennis courts at Walnut Hill Park located at 10011 Midway Road - Vortex Construction G.P., Inc., lowest responsible bidder of six - \$96,553 - Financing: 2003 Bond Funds **[05-1711; APPROVED]**
10. Authorize a contract for site improvements including a playground, site furnishings and chain link fencing at Bentwood Park located at 6011 Bentwood Trail - Vortex Construction G.P., Inc., lowest responsible bidder of six - \$134,626 - Financing: 2003 Bond Funds **[05-1712; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize a contract for the reconstruction of alley paving, storm drainage and wastewater main improvements for Alley Group 03-2010 (list attached) - P & E Contractors, Inc., lowest responsible bidder of six - \$587,765 - Financing: 2003 Bond Funds (\$488,665), Water Utilities Capital Improvement Funds (\$94,100), Water Utilities Capital Construction Funds (\$5,000) **[05-1713; APPROVED]**
12. Authorize a contract for alley paving and water and wastewater main improvements for Alley Group 03-2011 (list attached) - Jeske Construction Company, lowest responsible bidder of four - \$461,527 - Financing: 2003 Bond Funds (\$247,378), Water Utilities Capital Improvement Funds (\$203,848) and Water Utilities Capital Construction Funds (\$10,301) **[05-1714; APPROVED]**
13. Authorize a contract for the reconstruction of alley paving and storm drainage improvements for Alley Group 03-2012 (list attached) - V.A. Construction, Inc., lowest responsible bidder of seven - \$394,734 - Financing: 2003 Bond Funds **[05-1715; APPROVED]**
14. Authorize a contract for the construction of storm drainage improvements and water and wastewater adjustments for Pemberton Hill, Phase II including a drainage relief system that will connect to an existing system along Pemberton Hill Road - P & E Contractors, Inc., lowest responsible bidder of five - \$862,865 - Financing: 1995 Bond Funds (\$259,000), 1998 Bond Funds (\$603,865) **[05-1716; APPROVED]**
15. Authorize a contract for the construction of the Doran Pump Station - Archer Western Contractors, Ltd., lowest responsible bidder of two - \$4,993,000 - Financing: Water Utilities Capital Improvement Funds **[05-1717; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

16. Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for repairs and stabilization of the existing masonry wall above the roof deck, additional tapered roof insulation, installation of an additional light fixture in the breezeway area and additional circuit breakers and conduit for breezeway lighting and electrical outlets at the Poultry Building within the Pan American Complex at Fair Park located at Admiral Nimitz near Martin Luther King, Jr. Boulevard - \$59,024, from \$1,518,062 to \$1,577,086 - Financing: 1998 Bond Funds **[05-1718; APPROVED]**
17. Authorize an increase in the contract with Barson Utilities, Inc. for modifications of the storm water quality improvements, Phase I, at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$86,634, from \$610,990 to \$697,624 - Financing: 2004 Certificates of Obligation **[05-1719; APPROVED]**
18. Authorize Supplemental Agreement No. 2 to the design/build contract with MetalMan Design/Build Corporation to increase the Guaranteed Maximum Price for the construction of the birds of prey netting, breezeway improvements, monorail roofing replacement, Nile crocodile exhibit, rhinoceros iguana exhibit and saddle-billed stork exhibit at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$560,542, from \$518,808 to \$1,079,350 - Financing: 2003 Bond Funds **[05-1720; APPROVED]**
19. Authorize (1) Supplemental Agreement No. 5 to the contract with Washington Group International, Inc. (formerly Washington Infrastructure Services, Inc.) to provide engineering services for bicycle and pedestrian enhancements for Phase III and Phase IV of the KATY Trail extension in the amount of \$51,275, from \$759,082 to \$810,357, (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$41,020, and (3) an increase in appropriations in the amount of \$41,020 in the Capital Projects Reimbursement Fund - Total not to exceed \$51,275 - Financing: 2003 Bond Funds (\$10,255), Texas Department of Transportation Funds (\$41,020) **[05-1721; APPROVED AS AN INDIVIDUAL ITEM]**

Construction Miscellaneous

20. Authorize (1) two twenty-year leases, with one five-year renewal option, with American Tower Corporation for WRR Municipal Radio, for the primary broadcast (transmitter) tower and the auxiliary (back-up) broadcast tower in an amount not to exceed \$3,174,332, and (2) the construction of a build-out facility to house the transmitter equipment for the station in an amount not to exceed \$190,000 - Total not to exceed \$3,364,332 - Financing: Current Funds (\$3,174,332) (subject to annual appropriations); Municipal Radio Facility Improvement Funds (\$190,000) **[05-1722; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

21. Authorize (1) alley paving, storm drainage, and wastewater main improvements for Project Group 03-3000; provide for partial payment of alley construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on August 10, 2005 to receive citizens' comments (list attached) - Financing: No cost consideration to the City **[05-1723; APPROVED]**
22. Authorize the rejection of bids received for the new Animal Shelter located at 1818 N. Westmoreland Road and readvertisement for new bids - Financing: No cost consideration to the City **[05-1724; APPROVED AS AN INDIVIDUAL ITEM]**

LAND MISCELLANEOUS

23. A resolution authorizing the sale of approximately 16,893 square feet of unwanted and unneeded City-owned land located near the intersection of Collett and Bennett Avenues to the only bidder, Live Oak Residences, LP - Revenue: \$195,002 **[05-1725; APPROVED]**
24. A resolution authorizing the sale of approximately 24,831 square feet of unwanted and unneeded City-owned land, improved with a fire station located near the intersection of Lake June Road and Prichard Street to the highest bidder, Avan Easter, Sr. - Revenue: \$133,000 **[05-1726; APPROVED]**
25. An ordinance abandoning a portion of an alley to Southern Crest Missionary Baptist Church, the abutting owner, containing approximately 1,500 square feet of land located near the intersection of Locust Avenue and Dalton Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-1727; ORDINANCE 26002; APPROVED]**
26. An ordinance abandoning a portion of an alley to Addison Stone, L.L.C., the abutting owner, containing approximately 2,157 square feet of land located near the intersection of R. L. Thornton Freeway and Ewing Avenue, and authorizing the quitclaim - Revenue: \$25,884 plus the \$20 ordinance publication fee **[05-1728; ORDINANCE 26003; APPROVED]**
27. An ordinance abandoning portions of alleys to Providence Christian School of Texas, the abutting owner, containing a total of approximately 1,455 square feet of land located near the intersection of Lovers Lane and Caillet Street, and authorizing the quitclaim - Revenue: \$24,733 plus the \$20 ordinance publication fee **[05-1729; ORDINANCE 26004; APPROVED AS AN INDIVIDUAL ITEM]**
28. An ordinance abandoning Victor alley to Baylor Health Care System, the abutting owner, containing approximately 9,700 square feet of land located near the intersection of Washington Avenue and Crutcher Street, and authorizing the quitclaim - Revenue: \$115,430 plus the \$20 ordinance publication fee **[05-1730; ORDINANCE 26005; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

29. An ordinance granting a private license to Rolex Texas Realty (Delaware) Corporation for the use of approximately 1,608 square feet of land to construct and maintain decorative retaining walls, steps, landscaping, irrigation, lighting and conduits located in portions of Payne and McKinnon Streets rights-of-way at their intersection - Revenue: \$7,381 annually plus the \$20 ordinance publication fee **[05-1731; ORDINANCE 26006; APPROVED]**
30. Authorize conveyance to the State of Texas of approximately 7,723 square feet of land located near the intersection of Interstate Highway 30 and North Walton Walker Boulevard for the Interstate Highway 30 Improvement project - Revenue: \$3,500 **[05-1732; APPROVED]**
31. Authorize the release of lien on real property located at 4150 2nd Avenue to Walker Auto Body and Frame Shop - Financing: No cost consideration to the City **[05-1733; APPROVED]**
32. Authorize the release of lien on real property for the construction of the Spring Plaza Business Complex located at 4907 Spring Avenue to Innercity Community Development Corporation, Inc. - Financing: No cost consideration to the City **[05-1734; APPROVED]**
33. Authorize an 84-month lease agreement with Donald J. Tivens and Marilyn Tivens, Trustees of the Donald J. Tivens and Marilyn Tivens Family Trust for approximately 5,015 square feet of office space located within Seville III at 3218 Highway 67 (I-30), in Mesquite, Texas, to be used as a Women, Infants, and Children clinic for the period August 1, 2005 through July 31, 2012 - Total not to exceed \$561,681 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations) **[05-1735; APPROVED]**
34. Authorize (1) a public hearing to be held on June 22, 2005 to receive citizens' comments on the proposed private sale by quitclaim deed of 2 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization; and, at the close of the hearing, (2) consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City **[05-1736; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

35. Authorize a temporary unit price increase in the price agreement for liquid ferric sulfate for the period of June 9, 2005 through September 30, 2005, with Fini Enterprises, Inc. dba General Chemical - Not to exceed \$104,755, from \$17,256,240 to \$17,360,995 - Financing: Water Utilities Current Funds **[05-1737; APPROVED AS AN INDIVIDUAL ITEM]**
36. Authorize a sixty-month extension to the maintenance contracts for the mainframe server, disk drives, controller, and disk storage with Fujitsu Computer Systems Corp. in the amount of \$229,115, and Storage Technology Corporation in the amount of \$593,309 - Total not to exceed \$822,424 - Financing: Current Funds (subject to annual appropriations) **[05-1738; APPROVED]**

## CONSENT AGENDA (Continued)

### PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

37. Authorize the purchase of a hazardous material identification system from Smiths Detection, Inc. - Sole Source - Not to exceed \$60,625 - Financing: 2004 Urban Area Initiative Homeland Security Grant Funds **[05-1739; APPROVED]**
38. Authorize (1) ten-year food service contracts for concessions at the Cotton Bowl and Old Mill Inn at Fair Park for the period June 8, 2005 through June 7, 2015, and, (2) five-year food service contracts for concessions in the Band Shell and Food and Fiber Pavilion at Fair Park for the period June 8, 2005 through June 7, 2010 with the best value bidder of three - Ed Campbell Company, Inc. - Estimated Annual Net Revenue: \$845,200 **[05-1740; APPROVED]**
39. Authorize the purchase of a 66Z Plus Backscatter x-ray machine that provides a more effective method of identifying contents in concealed packages from American Science and Engineering, Inc. through the General Services Administration - Sole Source - Not to exceed \$67,566 - Financing: 2004 Homeland Security Grant Funds **[05-1741; APPROVED]**
40. Authorize a thirty-six-month service contract for concrete recycling with the only bidder - Big City Crushed Concrete, Inc. - Not to exceed \$745,500 - Financing: Current Funds **[05-1742; APPROVED AS AN INDIVIDUAL ITEM]**
41. Authorize the purchase of two Duperon trashrack systems to be installed at the Delta and New Hampton Pump Stations to remove debris carried to the pump stations through the stormwater system from Duperon Corp. - Sole Source - Not to exceed \$484,950 - Financing: 2004 Certificates of Obligation **[05-1743; APPROVED]**
42. Authorize the purchase of software licenses and hardware to expand the program registration and membership pass management system at all recreation centers from Class Software Solutions through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program - Not to exceed \$280,000 - Financing: Current Funds (\$30,000)(\$14,000 subject to appropriations), ID System Trust Funds (\$250,000) **[05-1744; APPROVED]**

### MISCELLANEOUS

43. Authorize adoption of By-Laws of Tax Increment Financing Zone Number Nine (Vickery Meadow TIF District) - Financing: No cost consideration to the City **[05-1745; APPROVED]**
44. Authorize adoption of By-Laws of Tax Increment Financing Zone Number Ten (Southwestern Medical TIF District) - Financing: No cost consideration to the City **[05-1746; APPROVED]**

MISCELLANEOUS (Continued)

45. Authorize (1) a public hearing to be held on August 10, 2005 to receive citizens' comments to consider the creation of the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the South Side Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by an assessments for each property owner of record on real property and real property improvements in the District; and at the close of the hearing, (2) consideration of an ordinance creating the South Side Public Improvement District Service Plan for 2006-12 - Financing: No cost consideration to the City **[05-1747; APPROVED]**
46. Authorize (1) a public hearing to be held on August 10, 2005 to receive citizens' comments to consider the creation of the Preston Hollow North Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Preston Hollow North Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by a fixed assessment for each property owner of record on real property and real property improvements in the District; and at the close of the hearing, (2) consideration of an ordinance creating the Preston Hollow North Public Improvement District Service Plan for 2006-12 - Financing: No cost consideration to the City **[05-1748; POSTPONED UNTIL 08/10/05]**
47. Authorize (1) a second amendment to the contract with Texas Commission on Environmental Quality to accept additional grant funds to operate air samplers for PM 2.5 and conduct air monitoring activities in Dallas for the period September 1, 2005 through August 31, 2006; and, (2) execution of the grant agreement - Not to exceed \$124,000, from \$124,000 to \$248,000 - Financing: Texas Commission on Environmental Quality Grant Funds **[05-1749; APPROVED]**
48. Authorize (1) a third amendment to the contract with the Texas Commission on Environmental Quality to accept additional grant funds to operate and maintain the continuous ambient air monitoring station in Sunnyvale, Texas; (2) an extension to the agreement term for the period September 1, 2005 through August 31, 2006; and, (3) execution of the grant agreement - Not to exceed \$50,000, from \$100,000 to \$150,000 - Financing: Texas Commission on Environmental Quality Grant Funds **[05-1750; APPROVED]**
49. Authorize (1) the acceptance of grant funds in the amount of \$367,790 from the Texas Commission on Environmental Quality for air monitoring activities for the period September 1, 2005 through August 31, 2007, (2) a local match in an amount not to exceed \$181,150 over the two-year term, and (3) execution of the grant agreement - Total not to exceed \$548,940 - Financing: Texas Commission on Environmental Quality Grant Funds (\$367,790) and Current Funds (\$181,150) (subject to annual appropriations) **[05-1751; APPROVED]**



CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

50. Authorize position additions associated with Phase II of the Civilianization Plan for Dallas Police Department's personnel and the use of appropriated funds - Financing: No additional cost consideration to the City **[05-1752; APPROVED AS AN INDIVIDUAL ITEM]**
51. Authorize a secured no interest, forgivable loan to Westmoreland Heights Neighborhood Association for the acquisition and construction of the Westmoreland Heights Community House, located at 3739 Homeland Street, to provide neighborhood services and community development eligible activities for a five-year term - Not to exceed \$187,500 - Financing: 1999-00 Urban Development Action Grant Funds (\$20,000), 2000-01 Urban Development Action Grant Funds (\$20,000), 2001-02 Urban Development Action Grant Funds (\$125,000), 2002-03 Urban Development Action Grant Funds (\$22,500) **[05-1753; APPROVED]**
52. Authorize the reconstruction on-site of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 2312 Anderson Street - Not to exceed \$70,000 - Financing: 2004-05 HOME Funds **[05-1754; APPROVED]**
53. A resolution (1) establishing the Downtown Dallas Development Authority (DDDA), (2) approving the DDDA's articles of incorporation to authorize the City Manager to file the articles with the Secretary of State, authorize expenditures for fees associated with the filing of articles and other expenses relating to the incorporation of the DDDA, and various operations and startup activities, and (3) approving the DDDA's By-laws - \$25 - Financing: City Center TIF District Funds **[05-1755; APPROVED]**
54. An ordinance amending Chapter 8 of the Dallas City Code to allow a person to serve on more than one Tax Increment Financing Reinvestment Zone Board - Financing: No cost consideration to the City **[05-1756; ORDINANCE 26007; APPROVED]**
55. Authorize a three-year renewal option to the contract with Southwest Perennials to operate the Greenhouse at Crawford Park located at 8740 Elam Road beginning July 1, 2005 through June 30, 2008 - Financing: No cost consideration to the City **[05-1757; APPROVED]**
56. Authorize a contract with Teal Engineering Services, Incorporated to provide engineering services to develop specifications for a new centralized traffic/signal computer control system and to assist staff with procurement, system implementation and acceptance testing - \$190,958 - Financing: 2003 Bond Funds (\$25,970), Texas Department of Transportation (\$164,988) **[05-1758; APPROVED]**
57. Authorize adoption of the Comprehensive Transportation Plan for the Dallas Central Business District - Financing: No cost consideration to the City **[05-1759; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

58. Authorize Supplemental Agreement No. 3 to the contract with the City of Grand Prairie for wholesale treated water to deliver treated water within the City of Dallas limits for the period of October 1, 2005 through September 30, 2012 (\$40,874 per year beginning October 1, 2006) - Total Estimated Revenue: \$245,244 **[05-1760; APPROVED AS AN INDIVIDUAL ITEM]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [05-1761]

59. An application for and an ordinance creating a new subdistrict for retail uses within Subarea 1b of Planned Development District No. 316, the Jefferson Area Special Purpose District, on the south line of Jefferson Boulevard, west of Van Buren Avenue  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z045-183 (WE) [05-1762; ORDINANCE 26008; CPC RECOMMENDATION FOLLOWED]
60. An application for and an ordinance granting an amendment to the conditions of Specific Use Permit No. 1515 for a Child-care facility on property zoned an R-7.5(A) Single Family District, located on the east side of Lancaster Road, north of Sylvia Street  
Recommendation of Staff and CPC: Approval, for a five-year period with eligibility for automatic renewals for an additional five-year periods, subject to a site plan and conditions  
Z045-185 (FD) [05-1763; ORDINANCE 26009; CPC RECOMMENDATION FOLLOWED]
61. An application for and an ordinance granting a Planned Development Subdistrict for Multiple Family uses in Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multiple Family Subdistrict, in Planned Development District No. 193, in an area generally bounded by Herschel Avenue, Dickason Avenue (both sides), Wycliff Avenue and Hartford Street  
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions  
Z045-190 (MM) [05-1764; ORDINANCE 26010; CPC RECOMMENDATION FOLLOWED]
62. An application for and an ordinance granting a Specific Use Permit for an Accessory Community Center (private) and a pool facility on property zoned a CH Clustered Housing District, on the south line of Camp Wisdom Road at Manitoba Street  
Recommendation of Staff and CPC: Approval, for a fifteen-year period with eligibility for automatic renewals for additional fifteen-year periods, subject to a site plan and conditions  
Z045-199 (WE) [05-1765; ORDINANCE 26011; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - CONSENT (Continued)

63. An application for and an ordinance granting an R-10(A) Single Family District on property zoned a CR-D Community Retail District with a Liquor Control Overlay, located on the southwest corner of Kiest Boulevard and Guadalupe Avenue  
Recommendation of Staff and CPC: Approval with retention of the D Liquor Control Overlay  
Z045-205 (DW) [05-1766; ORDINANCE 26012; APPROVED AS AMENDED]
64. An application for and an ordinance granting an MU-3 Mixed Use District on property zoned an LI Light Industrial District located on the east side of Worcola Street, south of Yale Boulevard  
Recommendation of Staff and CPC: Approval  
Z045-207 (MM) [05-1767; ORDINANCE 26013; CPC RECOMMENDATION FOLLOWED]
65. An application for and an ordinance granting an amendment to and expansion of Planned Development District No. 504 for a Private School and R-16(A) Single Family District uses on property zoned Planned Development District No. 504 and an R-16-(A) Single Family District on the southeast corner of Midway Road and Northaven Road  
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions  
Z034-296 (MM) [05-1768; APPROVED AS AMENDED; ORDINANCE TO COME BACK ON 06/22/05]

ZONING CASES - INDIVIDUAL

66. An application for and an ordinance granting a change from Subarea 1C to Subarea 2 within Conservation District No. 7, the Bishop/Eighth Street Conservation District, on the north side of Eighth Street, east of Bishop Avenue  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval  
Z045-203 (DW) [05-1769; ORDINANCE 26014; APPROVED AS AMENDED]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

67. An application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-10(A) Single Family District uses on property zoned an R-10(A) Single Family District and an R-7.5(A) Single Family District, on the southeast corner of Webb Chapel Road and Walnut Hill Lane  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z045-145 (WE) [05-1770; CONTINUED UNTIL 06/22/05; HEARING OPEN]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT (Continued)

68. A Landmark Commission authorized hearing to consider an Historic Overlay for the Stephen J. Hay Elementary School on property zoned Planned Development Subdistrict No. 51 for a public school other than open enrollment charter school and MF-2 Multiple-Family Subdistrict uses, in Planned Development District No. 193, Oak Lawn Special Purpose District, on the northeast side of Gilbert Avenue between Prescott Avenue and Hershel Avenue and an ordinance granting the overlay  
Recommendation of Staff and CPC: Approval, subject to preservation criteria  
Z045-206 (JA) [05-1771; CONTINUED UNTIL 09/14/05; HEARING OPEN]
69. An application for and an ordinance granting a Planned Development District for a Public School other than an open-enrollment charter school and MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the northeast corner of the intersection of St. Augustine Road and Scyene Road  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z045-210 (MM) [05-1772; ORDINANCE 26015; APPROVED AS AMENDED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

70. An application for and an ordinance granting an RR Regional Retail District on property zoned Planned Development District No. 579 for a bus fueling station and light service facility, on the southeast corner of Lancaster Avenue and Ninth Street  
Recommendation of Staff and CPC: Approval  
Z045-182(WE) [05-1773; CONTINUED UNTIL 06/22/05; HEARING OPEN]  
Note: This item was considered by the City Council at a public hearing on May 11, 2005, and was taken under advisement until June 8, 2005, with the public hearing open.
71. An application for and an ordinance granting a Specific Use Permit for a Refuse Transfer Station on property zoned an IM Industrial Manufacturing District, on the northwest side of Childs Street, northeast of Pontiac Street  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Z034-112 (MF/DW) [05-1774; ORDINANCE 26016; CPC RECOMMENDATION FOLLOWED]  
Note: This item was considered by the City Council at a public hearing on May 25, 2005, and was taken under advisement until June 8, 2005, with the public hearing open.

SPECIAL PROVISION SIGN DISTRICT

72. A City Plan Commission authorized hearing to consider amendments to the Deep Ellum/Near East Side Special Provision Sign District to create a new category of sign for parking lots to standardize signage for parking areas while allowing the display of non-premise advertising and providing enhanced security lighting on adjacent sidewalks and streets and an ordinance granting the amendments  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval  
SPSD 045-007A (DC) [05-1775; CONTINUED UNTIL 08/10/05; HEARING OPEN]

BENEFIT ASSESSMENT HEARING

73. A benefit assessment hearing to receive citizens' comments on sidewalk paving, and water and wastewater adjustments on Elam Road from St. Augustine Road to Masters Drive, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Roadway Engineering & Construction, Inc., lowest responsible bidder of nine - \$127,820 - Financing: 2003 Bond Funds (\$127,125), Water Utilities Capital Improvement Funds (\$310), and Water Utilities Capital Construction Funds (\$385) **[05-1776; ORDINANCE 26017; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS

City Center TIF District

Note: Item nos. 74 and 75  
must be considered collectively.

74. \* A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) reduce the City Center TIF District budget from \$96,400,943 to \$87,567,717, (b) amend the City Center TIF District boundary, (c) adjust the base year value, and (d) make modifications to the Plan and amendments to Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City **[05-1777; HEARING CLOSED]**
75. \* An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) reduce the City Center TIF District Budget from \$96,400,943 to \$87,567,717, (b) amend the City Center TIF District Boundary, (c) adjust the base year value, and (d) make modifications to amendments to the Plan and amendments to Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City **[05-1777; ORDINANCE 26018; APPROVED]**

MISCELLANEOUS HEARINGS (Continued)

76. An ordinance amending Ordinance No. 22802 previously approved on June 26, 1996, as amended to modify the By-Laws for Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District), to decrease the number of Directors for the City Center TIF District Board of Directors from fifteen to ten, decrease the number of City Council appointed Board of Directors from eleven to six, and approving the corresponding changes to the By-Laws of the City Center TIF District Board of Directors as originally adopted previously on April 8, 1998 by Resolution No. 98-1124 - Financing: No cost consideration to the City **[05-1778; ORDINANCE 26019; APPROVED]**

Note: Item nos. 77 and 78  
must be considered collectively.

Downtown Connection TIF District

77. \* A public hearing to receive citizens' comments concerning the creation of a tax increment financing reinvestment zone for the Downtown area, to be known as the Downtown Connection TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[05-1779; HEARING CLOSED]**
78. \* An ordinance establishing Tax Increment Financing Reinvestment Zone Number Eleven to be known as the Downtown Connection TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[05-1779; ORDINANCE 26020; APPROVED AS AMENDED]**

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Note: Item nos. 79 and 80  
must be considered collectively.

Design District TIF District

79. \* A public hearing to receive citizens' comments concerning the creation of a tax increment financing reinvestment zone for the Design District area, (Design District TIF District), under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[05-1780; HEARING CLOSED]**  
Note: This item was considered by the City Council at a public hearing on April 27, 2005, and was taken under advisement until June 8, 2005, with the public hearing open.
80. \* An ordinance establishing Tax Increment Financing Reinvestment Zone Number Eight to be known as the Design District TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[05-1780; ORDINANCE 26021; APPROVED AS AMENDED]**

## ITEMS FOR INDIVIDUAL CONSIDERATION

81. 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) **[05-1781; APPOINTMENTS MADE TO BOARDS]**
82. Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office) **[05-1782; NO ACTION TAKEN]**
83. Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for "non-residential" properties within 500 feet of the north or south right-of-way line of W. Northwest Highway, from Stemmons Freeway to Mixon Drive until October 17, 2005 - Financing: No cost consideration to the City (Requires a 3/4 vote of the full City Council for approval) **[05-1783; APPROVED]**
84. Authorize hardship relief for property located at 3237 West Northwest Highway Suite No. 102 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 **[05-1784; POSTPONED UNTIL 06/22/05]**
85. Authorize hardship relief for property located at 3237 West Northwest Highway Suite No. 103 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 **[05-1785; POSTPONED UNTIL 06/22/05]**
86. Authorize hardship relief for property located at 3701 West Northwest Highway Suite No. 148 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 **[05-1786; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

87. Authorize (1) the appointment of Nathan McClellan as City Treasurer; (2) the City Depository/City Treasurer's contract with Nathan McClellan, and his affiliated banking institution, Bank of America, N.A. for City depository and other banking services for a two-year period from August 1, 2005 through July 31, 2007 with an option to extend the term for an additional two years; (3) a tri-party agreement between the City, Bank of America, N.A., and The Bank of New York Trust Company, N.A. regarding collateral for City deposits; and (4) escrow/trust agreements with The Bank of New York Trust Company, N.A. - Not to exceed \$1,500,005 annually - Financing: Current Funds **[05-1787; APPROVED AS CORRECTED ON THE ADDENDUM]**
88. Authorize (1) a public hearing to be held on June 22, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Deep Ellum area (Deep Ellum TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, (2) consideration of an ordinance creating the Deep Ellum TIF District - Financing: No cost consideration to the City **[05-1788; APPROVED]**
89. An ordinance amending Chapter 30 of the Dallas City Code to (1) clarify and strengthen the City's noise regulations, (2) add regulations for automobile noise and vibrations, (3) regulate hours for construction activities; and, (4) create restrictions on the idling of commercial vehicles - Financing: No cost consideration to the City **[05-1789; ORDINANCE 26022; APPROVED]**
90. An ordinance amending in its entirety Chapter 17 of the Dallas City Code to adopt the Texas Food Establishment Rules published by the Texas Department of State Health Services, with local amendments; and to repeal obsolete City regulations relating to codeine preparations - Financing: No cost consideration to the City **[05-1790; ORDINANCE 26023; APPROVED]**



## ADDENDUM

### ADDITIONS:

Closed Session **[05-1791; CLOSED SESSION HELD]**

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

- Don Blanton, Deep Ellum I, Ltd., Deep Ellum II, Ltd., Deep Ellum III, Ltd., 2615-17 Commerce Street Partnership, Jernigan Realty Partners, LP, Robert Merrill and Karen L. Merrill, International Lion=s Lairs, L.L.C., Wayne Bazzle, Cheryl Bazzle, Crystalline E. Wheeler, Linda L. Kluck, Sandra S. Coone, Sam W. Owen, J.R. Gilpin, Crugar S. Ragland, Trustee of the Ragland Property Trust, Henry J. Evans, Park-A-Lot, LP, Peter Fonberg, Trustee of the Jeannette Schwartz Trust, Peter Fonberg, Trustee of the Hymie Schwartz Trust and Caron Barrett v. the City of Dallas, Cause No. 04-02922-K, and legal issues regarding creation of the Deep Ellum TIF District
- Legal issues regarding SB 245, the charitable solicitation amendment to the Texas Transportation Code

### CONSENT ADDENDUM

#### AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

##### Authorization of Contracts

1. Authorize a contract for renovation and expansion of the South Dallas Cultural Center located at 3400 Fitzhugh - Harrison Quality Construction, lowest responsible bidder of five - \$1,739,625 - Financing: 2003 Bond Funds (\$1,465,939), Capital Construction Funds (\$273,686) **[05-1792; APPROVED]**

**Note:** Addendum Item Nos. 2 and 3 must be considered collectively.

##### Dallas Museum of Art

2. \* Authorize **(1)** a contract for roof replacement at the Dallas Museum of Art located at 1717 North Harwood Street - Texas Roof Management, Inc., lowest responsible bidder of seven in the amount of \$1,155,954; and, **(2)** an increase in appropriations in the amount of \$899,954 in Equipment and Building Services' General Fund Budget - Total not to exceed \$1,155,954 - Financing: Contingency Reserve Funds (\$899,954), Capital Construction Funds (\$256,000) **[05-1793; APPROVED]**

## ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

### Contract Amendments

#### Dallas Museum of Art (Continued)

**Note:** Addendum Item Nos. 2 and 3 must be considered collectively.

3. \* Authorize Supplemental Agreement No. 4 to the contract with Conley Design Group, Inc., for construction administration and inspection services for roof replacement at the Dallas Museum of Art located at 1717 North Harwood Street - \$75,952, from \$328,639 to \$404,591 - Financing: General Capital Reserve Funds **[05-1794; APPROVED]**

### PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

4. Authorize the purchase of **(1)** computer hardware from Dell Marketing L.P. through the Department of Information Resources contract in an amount not to exceed \$432,885; and, **(2)** hardware, software, training, managed services, installation, and support for a Computer Automated Dispatch system from the most advantageous proposer of six, Tritech Software Systems in an amount not to exceed \$5,192,370 - Total not to exceed \$5,625,255 - Financing: 2003 Urban Area Security Initiative II Grant Funds (\$2,167,364) and 2004 Urban Area Security Initiative Grant Funds (\$3,457,891) **[05-1795; APPROVED AS AN INDIVIDUAL ITEM]**

### MISCELLANEOUS

5. An ordinance amending in its entirety Chapter 7 of the Dallas City Code to **(1)** define terms; **(2)** provide for city animal shelters; **(3)** provide procedures, requirements, and fees relating to the impoundment, quarantine, redemption, adoption, euthanasia, and sterilization of animals; **(4)** provide requirements, procedures, and fees for the vaccination of dogs, cats and ferrets; **(5)** provide requirements, procedures, and fees for the registration and microchipping of dogs and cats; **(6)** provide requirements on the care and treatment of animals, including prohibiting the transportation of animals in the open bed of a motor vehicle; **(7)** provide restrictions on selling and giving away animals; **(8)** provide requirements, procedures, and fees relating to dangerous dogs; **(9)** restrict ownership of prohibited animals in the city and provide a date by which prohibited animals must be removed from the city; **(10)** provide permitting requirements, procedures, fees, and defenses for owning regulated animals in the city; **(11)** provide a date by which a person holding a three-year dog or cat registration must comply with the annual registration program; **(12)** incorporate by reference certain state laws relating to animals; and **(13)** provide for enforcement of animal code violations, including establishing penalties for violations - Financing: No cost consideration to the City **[05-1796; ORDINANCE 26024; APPROVED AS AN INDIVIDUAL ITEM]**

## **ADDENDUM**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

6. A resolution expressing continued support of the private/public partnership with the Friends of the Dallas Public Library, Inc. for the renovation of the J. Erik Jonsson Central Library - Financing: This action has no cost consideration to the City **[05-1797; APPROVED]**
7. Authorize renewal of the contract with the African American Museum to provide a cultural awareness program for low- to moderate-income youth in the Southern Dallas area - \$50,000 - Financing: 2004-05 Community Development Grant Funds **[05-1798; APPROVED AS AN INDIVIDUAL ITEM]**
8. Authorize **(1)** the application for and acceptance of a Texas Forest Service Partnership Grant in the amount of \$100,000 for assistance in the establishment of a City Forester position within the Park and Recreation Department; and **(2)** the City's required local match in the amount of \$180,000 - \$280,000 - Financing: Current Funds (\$180,000) (subject to annual appropriations) and Texas Forest Service Partnership Grant Funds (\$100,000) **[05-1799; APPROVED]**

### **Residential Recycling Program**

9. \* Authorize the implementation of improvements to the citywide residential recycling program - Not to exceed \$126,000 - Financing: Current Funds (subject to annual appropriations) **[05-1800; APPROVED]**
10. \* Authorize **(1)** the exercise of the first twelve-month renewal option to the citywide residential recycling services contract with Community Waste Disposal, Inc. from October 1, 2005 through September 30, 2006, **(2)** a change in the contract terms as mutually agreed upon to collect recyclables in blue bags using a single stream method with added acceptable materials and apply public information moneys from the primary contract to the extended contract period - Not to exceed \$1,993,010 - Financing: Current Funds (subject to annual appropriations) **[05-1801; APPROVED]**

## ADDENDUM

### ADDITIONS: (Continued)

#### ITEMS FOR INDIVIDUAL CONSIDERATION

11. Authorize **(1)** adoption of the preliminary FY 2005-06 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$40,709,338 for the following programs and estimated amounts: Community Development Block Grant (\$26,861,621), HOME Investment Partnerships Program (\$8,846,506), American Dream Down-Payment Initiative (\$359,401), Housing Opportunities for Persons with AIDS (\$3,867,000), and Emergency Shelter Grant (\$774,810); and the proposed FY 2004-05 Reprogramming Budget in the amount of \$1,040,880; **(2)** an amendment to the Citizen Participation Plan to modify the required minimum number of neighborhood public hearings during the Consolidated Plan Budget development from ten meetings to six meetings; and, **(3)** a public hearing to be held on August 10, 2005 to receive citizens' comments on the proposed use of funds and amendment to the Citizen Participation Plan - Financing: No cost consideration to the City **[05-1802; APPROVED]**
  
12. Authorize a one-month extension of the City Depository/City Treasurer's contract with John A. Wright and his affiliated banking institution, JPMorgan Chase Bank, N.A. (formerly Bank One, NA) to July 31, 2005 - Not to exceed \$175,005 - Financing: Current Funds (\$130,005) and Water Utilities Current Funds (\$45,000) **[05-1803; APPROVED]**

#### ITEMS FOR FURTHER CONSIDERATION

13. A resolution appointing Thomas P. Perkins, Jr., as City Attorney of the City of Dallas, and authorizing the City Attorney's contract **[05-1804; APPROVED]**

### CORRECTIONS:

78. An ordinance establishing Tax Increment Financing Reinvestment Zone Number Eleven to be known as the Downtown Connection TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311), and a resolution authorizing adoption of the Bylaws for Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) - Financing: No cost consideration to the City **[05-1779]**

## ADDENDUM

### CORRECTIONS: (Continued)

87. Authorize **(1)** the appointment of Nathan McClellan as City Treasurer; **(2)** the City Depository/City Treasurer's contract with Nathan McClellan, and his affiliated banking institution, Bank of America, N.A. for City depository and other banking services for a two-year period from August 1, 2005 through July 31, 2007 with an option to extend the term for an additional two years; **(3)** a tri-party agreement between the City, Bank of America, N.A., and ~~The Bank of New York Trust Company, N.A.~~ the Federal Reserve Bank of Boston regarding collateral for City deposits; and **(4)** escrow/trust agreements with The Bank of New York Trust Company, N.A. - Not to exceed \$1,500,005 annually - Financing: Current Funds (\$1,020,005) and Water Utilities Current Funds (\$480,000) **[05-1787]**