

AGENDA
CITY COUNCIL MEETING
AUGUST 10, 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) [05-2140]

Agenda Item/Open Microphone Speakers [05-2141]

VOTING AGENDA

1. Approval of Minutes of the June 22, 2005 City Council Meeting [05-2142;
APPROVED]

CONSENT AGENDA [05-2143]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract for engineering services to assist with the review of fire protection engineering plans submitted for proposed developments within the City of Dallas for the period of August 1, 2005 to December 31, 2005, with the most advantageous proposer of four - Coker Engineering, LLC - Not to exceed \$45,000 - Financing: Building Inspection Current Funds [05-2144; **APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Carollo Engineers, P.C. to evaluate deteriorated equipment and infrastructure and prepare a design report with recommendations for miscellaneous improvements for repairs, modifications, or replacements at the Central Wastewater Treatment Plant - \$677,268 - Water Utilities Capital Improvement Funds **[05-2145; APPROVED]**
4. Authorize a professional services contract with Westin Engineering, Inc. to evaluate the Supervisory Control and Data Acquisition system and prepare a design report with recommendations for a new system at the White Rock Control Building located at 2900 White Rock Road - \$299,379 - Financing: Water Utilities Capital Construction Funds **[05-2146; APPROVED]**
5. Authorize a professional services contract with GSWW, Inc. to provide engineering services and analysis of the inflow and infiltration into the wastewater collection system in the Bachman Creek Shorecrest Branch, Bachman Relief Branch and Shady Trail Branch located within the Bachman Creek and Shady Trail drainage areas - \$2,562,317 - Financing: Water Utilities Capital Improvement Funds **[05-2147; APPROVED]**

Authorization of Contracts

6. Authorize a contract for site improvements including a playground and site furnishings at Renner Park located at 1400 Renner Drive - A S Con., Inc., lowest responsible bidder of four - \$116,240 - Financing: 2003 Bond Funds **[05-2148; APPROVED]**
7. Authorize a contract for site improvements including a playground and site furnishings at Tama Park located at 1300 Baden - A S Con., Inc., lowest responsible bidder of four - \$133,250 - Financing: 2003 Bond Funds **[05-2149; APPROVED]**
8. Authorize a design/build contract with Harrison, Walker and Harper, LP for the design phase for the design and construction of a restaurant, kitchen and rest room renovations for the DeGolyer House and parking lot at the Dallas Arboretum located at 8525 Garland Road - \$134,602 - Financing: 2003 Bond Funds **[05-2150; APPROVED AS AN INDIVIDUAL ITEM]**
9. Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on First Avenue from R.L. Thornton Freeway to Ash Lane - V.A. Construction, Inc., lowest responsible bidder of four - \$307,798 - Financing: 2003 Bond Funds (\$221,248), Water Utilities Capital Improvement Funds (\$78,100), and Water Utilities Capital Construction Funds (\$8,450) **[05-2151; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

10. Authorize a contract for the reconstruction of street paving, storm drainage and water main improvements on the 10700 block of Shiloh Road - McMahon Contracting, L.P., lowest responsible bidder of four - \$478,728 - Financing: 2003 Bond Funds (\$369,858), Water Utilities Capital Improvement Funds (\$105,020), and Water Utilities Capital Construction Funds (\$3,850) **[05-2152; APPROVED]**
11. Authorize a contract for the reconstruction of street paving, water and wastewater main improvements for Street Group 03-602 (list attached) - SYB Construction Company, Inc., lowest responsible bidder of two - \$601,250 - Financing: 2003 Bond Funds (\$441,440), Water Utilities Capital Improvement Funds (\$153,610), Water Utilities Capital Construction Funds (\$6,200) **[05-2153; APPROVED]**
12. Authorize a contract for furniture, furnishings and equipment for the new West Love Field Branch Library to be located at 2146 Gilford Street - Cultural Surroundings, only bidder - \$108,264 - Financing: 2003 Bond Funds **[05-2154; APPROVED AS AN INDIVIDUAL ITEM]**
13. Authorize a design/build contract with Harrison, Walker & Harper, L.P. for the design and construction of a maintenance equipment facility to be located at Dallas Executive Airport - Not to exceed \$633,303 - Financing: Aviation Capital Construction Funds **[05-2155; APPROVED]**
14. Authorize a contract for construction of the standpipe system replacement project at Dallas Love Field Parking Garage A - Mutual Sprinklers, Inc., lowest responsible bidder of two - \$250,408 - Financing: Aviation Capital Construction Funds **[05-2156; APPROVED]**
15. Authorize (1) a contract for environmental remediation and selective demolition of 1200 Main Street with Certified/LVI Environmental Services, Inc., lowest responsible bidder of three, in an amount not to exceed \$3,868,400; (2) assignment of the construction contract to LB 1200 Main LP for construction management; and (3) payment to LB 1200 Main LP in an amount not to exceed \$881,600 for design, reimbursables and construction management - Total not to exceed \$4,750,000 - Financing: City Center TIF District Funds **[05-2157; DELETED ON THE ADDENDUM]**
16. Authorize a contract for the construction of water mains and the replacement or rehabilitation of wastewater mains at various locations and the installation of a corrosion protection system for a 96-inch water main from Silkwood Street to Cedar Crest Pump Station located on Illinois Avenue (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - \$7,212,382 - Financing: Water Utilities Capital Improvement Funds **[05-2158; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

17. Authorize a contract for the construction of water mains and the replacement or rehabilitation of wastewater mains at various locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of three - \$6,629,917 - Financing: Water Utilities Capital Improvement Funds (\$6,621,391), 2003 Bond Funds (\$8,526) **[05-2159; APPROVED]**

Contract Amendments

18. Authorize a decrease in the contract with Phoenix I Construction and Restoration, Ltd. for modifications to the lift system, roofing, plaster and coatings at the Tower Building at Fair Park located at 3809 Grand Avenue - (\$17,980), from \$421,871 to \$403,891 - Financing: 1998 Bond Funds **[05-2160; APPROVED]**
19. Authorize Supplemental Agreement No. 1 to the contract with GSR Andrade Architects, Inc. to provide additional services, including schematic design, design development, construction documents, bidding and construction administration for complete replacement of the swimming pool, replacement of dehumidification equipment, renovation of the existing locker rooms, and replacement of all sprinkler heads in the pool and gymnasium areas at Bachman Therapeutic Center located at 2750 Bachman Drive - \$37,530, from \$53,000 to \$90,530 - Financing: 2003 Bond Funds **[05-2161; APPROVED]**
20. Authorize an increase in the contract with EAS Contracting, L.P., to provide additional runway improvements, including the removal and replacement of concrete, extension of electrical service and repair of two drainage inlets at the Hensley Field Airfield - Not to exceed \$299,945, from \$4,433,969 to \$4,733,914 - Financing: Hensley Field Funds **[05-2162; APPROVED AS AN INDIVIDUAL ITEM]**
21. Authorize Supplemental Agreement No. 3 to the professional services contract with Freese and Nichols, Inc. to provide additional design services for mechanical improvements and construction administration services at the Central Wastewater Treatment Plant - \$349,694, from \$4,267,181 to \$4,616,875 - Financing: Water Utilities Capital Improvement Funds **[05-2163; APPROVED]**

Construction Miscellaneous

22. Authorize (1) the acceptance and deposit of funds from Fast-Trak Construction, L.P. in the amount of \$28,545 for reimbursement of material and labor for adjustments of traffic signal hardware at Fort Worth Avenue and Jacqueline Drive, and (2) an increase in appropriations in the amount of \$28,545 in the Capital Projects Reimbursement Fund - Total not to exceed \$28,545 - Financing: Private Funds **[05-2164; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

23. Authorize payment to Dallas Area Rapid Transit for the City's share of costs for the reconstruction of nine railroad crossings (list attached) - \$287,000 - Financing: 2003 Bond Funds **[05-2165; APPROVED]**
24. Authorize Supplemental Agreement No. 2 to the Master Interlocal Agreement with Dallas County for the City's share of the construction cost associated with paving, drainage, parking, landscaping, amenities, water and wastewater main improvements on Singleton Boulevard from Hampton Road to Canada Drive - \$8,197,952 - Financing: 1995 Bond Funds (\$332,750), 2003 Bond Funds (\$2,779,017), Water Utilities Capital Improvement Funds (\$4,804,485), Water Utilities Capital Construction Funds (\$281,700) **[05-2166; APPROVED]**
25. Authorize payment to the Texas Department of Transportation for additional cost of a stormwater diversion sluice gate housing replacement in Hampton Road/Inwood Road from Angelina Drive to Harry Hines Boulevard - \$137,904 - Financing: 1995 Bond Funds **[05-2167; APPROVED]**

LAND ACQUISITION

26. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Marshall Rosenfeld, Marvin Marks, A. Robert Beer, Raymond Wilensky and Phillip Vogel of approximately 1.7 acres of land improved with a single story commercial building near the intersection of Stemmons Freeway and Halifax Street for the Trinity River Corridor project - \$1,115,000 - Financing: 1998 Bond Funds **[05-2168; APPROVED AS AN INDIVIDUAL ITEM]**
27. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of land containing approximately 122,157 square feet located near the intersection of Lochwood Boulevard and Lake Gardens Drive from Young Marines of the Marine Corps League for the Casa View Library project - \$650,000 - Financing: 2003 Bond Funds **[05-2169; APPROVED]**
28. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of land containing approximately 83,847 square feet located near the intersection of Webb Chapel Road and El Centro Drive from Richard David Goynshor, Dan Brusslan, Belinda S. Mirvis Gunter, Etta Gurstel, Rhea Isaacs, Paula Modell and Norma Gurstel as Trustees; Cara Young, Roberta Mirvis, Evan Zimbler, Jane Zimbler and Sari Smith for the Walnut Hill Library project - \$1,060,000 - Financing: 2003 Bond Funds **[05-2170; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION (Continued)

29. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of land containing approximately 10,087 square feet located near the intersection of El Centro Drive and Webb Chapel Road from Lucienne Saada Benklifa for the Walnut Hill Library project - \$200,000 - Financing: 2003 Bond Funds **[05-2171; APPROVED]**

LAND MISCELLANEOUS

30. A resolution authorizing conveyance of 2 drainage easements containing a total of approximately 6,473 square feet of land to the City of Rockwall for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Summer Lee and La Costa Drives - Revenue: \$3,624 **[05-2172; APPROVED]**
31. An ordinance abandoning a portion of a sanitary sewer easement to the W.W. Caruth, Jr. Foundation, the abutting owner, containing approximately 3,633 square feet of land located near the intersection of Fisher and Abrams Roads, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-2173; ORDINANCE 26051; APPROVED]**
32. An ordinance abandoning a portion of an alley to TX John West Housing, L.P., the abutting owner, containing approximately 7,198 square feet of land located near the intersection of Blaydon and Ashdown Drives, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-2174; ORDINANCE 26052; APPROVED]**
33. Authorize the quitclaim of 20 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$207,801 **[05-2175; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

34. Authorize a twenty-four-month price agreement for traffic signal structures in the Central Business District with the only bidder - Structural & Steel Products, Inc. - Not to exceed \$508,663 - Financing: Current Funds **[05-2176; APPROVED]**
35. Authorize a thirty-six-month concession contract for snack vending machines at City facilities with the best value bidders of five - DeSoto Vending, DFW Ameritex Vending Company, Inc., and Ballard Vendors, Inc. - Estimated Annual Net Revenue: \$75,000 **[05-2177; APPROVED]**
36. Authorize a twelve-month price agreement for back-up tapes with the lowest responsible bidder of ten - Advanced Digital Solutions International, Inc. - Not to exceed \$82,401 - Financing: Current Funds **[05-2178; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

37. Authorize a twenty-four-month price agreement for door and exit device hardware for City facilities with the lowest responsible bidders of six - Independent Hardware, Inc. in the amount of \$47,105, Hans Johnsen Company in the amount of \$10,402, Clark Security Products in the amount of \$9,113, Fairway Supply, Inc. in the amount of \$718, and Knowles Door Check Company, Inc. in the amount of \$580 - Total not to exceed \$67,918 - Financing: Current Funds **[05-2179; APPROVED]**
38. Authorize a thirty-six-month price agreement for chemicals to treat swimming pools, fountains and water filters with the lowest responsible bidders of three - Harcros Chemicals, Inc. in the amount of \$72,273, Sunbelt Pools, Inc. in the amount of \$51,416, and DCC, Inc. in the amount of \$10,800 - Total not to exceed \$134,489 - Financing: Current Funds (\$74,750), Water Utilities Current Funds (\$59,740) **[05-2180; APPROVED]**
39. Authorize a twenty-four-month price agreement for oil, grease and lubricants with the lowest responsible bidders of five - Kost USA, Inc. in the amount of \$1,192,075, Jess P. Taylor Oil Co. in the amount of \$518,220, Certified Labs, Division of NCH in the amount of \$252,549, and Schaeffer Mfg. Co. in the amount of \$168,507 - Total not to exceed \$2,131,351 - Financing: Current Funds (\$1,710,295), Water Utilities Current Funds (\$421,056) **[05-2181; APPROVED]**
40. Authorize a thirty-six-month price agreement for traffic radar units with the lowest responsible bidders of five - Applied Concepts, Inc. in the amount of \$69,465 and Kustom Signals, Inc. in the amount of \$167,802 - Total not to exceed \$237,267 - Financing: Current Funds **[05-2182; APPROVED]**
41. Authorize a twenty-four-month price agreement for traffic signal poles, mast arms, transformer bases, and screw-in foundations with the lowest responsible bidders of nine - Union Metal Corporation in the amount of \$263,288, Paradigm Traffic Systems, Inc. in the amount of \$9,800 and Traffco Products, LLC in the amount of \$56,350 - Total not to exceed \$329,438 - Financing: Current Funds **[05-2183; APPROVED]**
42. Authorize a thirty-six-month price agreement for water meter access hatches with the only bidder - U. S. F. Fabrication, Inc. - Not to exceed \$493,535 - Financing: Water Utilities Current Funds **[05-2184; APPROVED]**

RATIFICATION OF EMERGENCY REPAIRS

43. Ratify emergency repairs to two heating, ventilation and air conditioning chillers at the Morton Meyerson Symphony Center located at 2301 Flora Avenue - Entech Sales and Services - \$100,000 - Financing: Current Funds **[05-2185; APPROVED]**

MISCELLANEOUS

44. Authorize a professional services contract with the law firm of Mounce, Green, Myers, Safi & Galatzan P.C., for legal services to represent the City in a proceeding before the Railroad Commission of Texas styled Atmos Energy Corporation Transmission Gas Cost Review, Gas Utilities Docket No. 9530 and in all other related litigation and appeals - Not to exceed \$96,000 - Financing: Current Funds **[05-2186; DELETED ON THE ADDENDUM]**
45. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Sayles Werbner for legal representation of the City in the lawsuits resulting from the City's "fake drug cases" - \$200,000, from \$125,000 to \$325,000 - Financing: Current Funds **[05-2187; APPROVED]**
46. Authorize settlement of attorney fees in the lawsuit styled Irma Jean James and Terri Lary v. City of Dallas, Civil Action No. 3:98-CV-0436-R - Not to exceed \$485,000 - Financing: Current Funds **[05-2188; APPROVED]**
47. Authorize settlement of the claim filed by Jesse M. Espinosa, Claim No. 20042585 - \$8,000 - Financing: Current Funds **[05-2189; APPROVED]**
48. Authorize settlement of the lawsuit styled Sheffield Bell et al. v. City of Dallas, Civil Action No. 3:95-CV-00383-R - \$27,500 - Financing: Current Funds **[05-2190; APPROVED]**
49. Authorize settlement of the lawsuit styled Kelly Patrick Roche v. City of Dallas, et al.; Civil Action No. 3:02-CV-0938-D - \$15,000 - Financing: Current Funds **[05-2191; APPROVED]**
50. Authorize settlement of the lawsuit styled Lasonya Sabour v. City of Dallas, Cause No. 04-05398-A - \$11,000 - Financing: Current Funds **[05-2192; APPROVED]**
51. An ordinance adopting new aircraft noise attenuation requirements for Chapter 53 of the Dallas City Code "Dallas Building Code", and Chapter 57 of the Dallas City Code "Dallas One- and Two-Family Dwelling Code," - Financing: No cost consideration to the City **[05-2193; POSTPONED UNTIL 08/24/05]**
52. An ordinance granting a TH-1(A) Townhouse District on property zoned a CR Community Retail District located along the north line of Frankford Road, west of Hillcrest Road, and along the west alignment of Hillcrest Road, north of Frankford Road and a resolution accepting deed restrictions volunteered by the applicant and a resolution accepting the termination of existing deed restrictions - Z045-179(RB) - Financing: No cost consideration to the City **[05-2194; POSTPONED UNTIL 08/24/05]**
53. An ordinance granting a TH-3(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the north line of Ferguson Road, east of Lakeland Drive and on the east line of Lakeland Drive, north of Ferguson Road and a resolution accepting deed restrictions volunteered by the applicant - Z045-198(RB) - Financing: No cost consideration to the City **[05-2195; ORDINANCE 26053; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

54. Authorize adoption of By-Laws for Tax Increment Financing Zone Number Twelve (Deep Ellum TIF District) - Financing: No cost consideration to the City (approved as an individual item) **[05-2196; APPROVED]**
55. Authorize adoption of By-Laws for Tax Increment Financing Zone Number Eight (Design District TIF District) - Financing: No cost consideration to the City **[05-2197; APPROVED]**
56. Authorize (1) the acceptance of grant funds in the amount of \$1,060,842 from the Texas Commission on Environmental Quality to provide air pollution control services for the period September 1, 2005 through August 31, 2007, (2) a local match in an amount not to exceed \$522,504 over the two-year period, and (3) execution of the grant agreement - Total not to exceed \$1,583,346 - Financing: Texas Commission on Environmental Quality Grant Funds (\$1,060,842) and Current Funds (\$522,504) (subject to annual appropriations) **[05-2198; APPROVED]**
57. Authorize the acceptance of grant funds from the Department of State Health Services for the enhancement of the City's Childhood Lead Poisoning Prevention Program for the period July 1, 2005 through June 30, 2006 - Not to exceed \$56,250 - Financing: Department of State Health Services Grant Funds **[05-2199; APPROVED]**
58. Authorize an amendment to the contract with the Department of State Health Services to accept additional grant funds for maternal and child health services for non-Medicaid eligible clients through Title V for the period September 1, 2004 through August 31, 2005 - Not to exceed \$20,000, from \$65,388 to \$85,388 - Financing: Department of State Health Services Grant Funds **[05-2200; APPROVED]**
59. Authorize exercise of the two one-year renewal options to the contract with Standard Insurance Company for group basic term life, voluntary dependent life, and accidental death and dismemberment insurance coverage - Not to exceed \$2.20 per employee per month for group basic term life - Financing: Employee Benefits Current Funds **[05-2201; APPROVED AS AN INDIVIDUAL ITEM]**
60. Authorize a Residential Development Acquisition Loan Program loan to Dallas Neighborhood Alliance for Habitat, for the acquisition of up to 10 lots in West Dallas (list attached) - Not to exceed \$75,000 - Financing: 2002-03 Community Development Grant Funds **[05-2202; APPROVED]**
61. Authorize (1) a public hearing to be held on August 24, 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, 2729 Alabama to SouthFair Community Development Corporation and 2014 Dennison to Builders of Hope CDC, qualified non-profit organizations; and, at the close of the public hearing, (2) consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City **[05-2203; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

62. Authorize the reconstruction on-site of two homes in accordance with the Replacement Housing Program Statement requirements for the property located at 4718 Gurley Avenue in the amount of \$70,000 and 3511 Ladd Street in the amount of \$70,000 - Total not to exceed \$140,000 - Financing: 2004-05 HOME Funds **[05-2204; APPROVED]**
63. Authorize a cross-licensing agreement with the State of Texas through the Texas Department of Transportation to use and reproduce Texas historic maps - Financing: No cost consideration to the City **[05-2205; APPROVED]**
64. Authorize a public hearing to be held on August 24, 2005 to receive citizens' comments in preparation of the FY 2005-06 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[05-2206; APPROVED]**
65. Authorize the second of two one-year renewal options to the contract with KPMG LLP, for the audit of the City's financial operations and grant activities for the fiscal year ending September 30, 2005 - Not to exceed \$460,975 - Financing: Current Funds (\$435,975) and Bond Funds Interest Earnings (\$25,000) **[05-2207; APPROVED]**
66. Authorize renewal of the grant agreement with the Nasher Sculpture Center for sixty months to promote economic development and stimulate cultural tourism activity within the Downtown Arts District pursuant to Chapter 380 of the Texas Local Government Code - Not to exceed \$300,000 - Financing: Current Funds **[05-2208; APPROVED]**
67. Authorize (1) the acceptance of the Commercial Auto Theft Interdiction Squad/13 grant from the Texas Automobile Theft Prevention Authority in the amount of \$484,994 to provide a specialized proactive automobile theft program, for the period September 1, 2005 through August 31, 2006, (2) a local match in the amount of \$72,528, (3) In-Kind contributions in the amount of \$485,285, and (4) execution of the grant agreement - Total not to exceed \$1,042,807 - Financing: Texas Automobile Theft Prevention Authority Grant Funds (\$484,994), In-Kind Contributions (\$485,285) and Current Funds (\$72,528) (subject to appropriations) **[05-2209; APPROVED]**
68. Authorize (1) the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$25,000 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during the Labor Day holiday, for the period August 19, 2005 through September 5, 2005, (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$7,055; and (3) execution of the grant agreement - Total not to exceed \$32,055 - Financing: Current Funds (\$7,055) and Texas Department of Transportation Grant Funds (\$25,000) **[05-2210; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

69. Authorize application for and acceptance of the Internet Crimes Against Children Task Force grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for continued response to the sexual abuse and exploitation of children facilitated by the use of computer technology and support for the Dallas Child Advocacy Center for victim services costs related to the investigation of Internet-facilitated child exploitation, for the period April 1, 2005 through September 30, 2006 - \$600,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds **[05-2211; APPROVED]**
70. Authorize an Interlocal Agreement with the Texas Department of Public Safety for release of driving records for use in conjunction with applications for driving permits to operate ambulances, wreckers, and for-hire passenger transportation vehicles in the City of Dallas - Financing: No cost consideration to the City **[05-2212; APPROVED]**
71. Authorize payment to Dallas Area Rapid Transit for the City's match for the Federal Transit Administration Livable Communities Initiative - \$150,000 - Financing: Convention and Event Services Capital Construction Funds **[05-2213; APPROVED]**
72. Authorize a five-year contract, with two five-year renewal options, to provide untreated water from Lake Ray Hubbard with Bluegreen Communities of Georgia, LLC, for the irrigation of an 18-hole golf course located in Rockwall County - August 10, 2005 through May 31, 2006 (\$110,007), June 1, 2006 through May 31, 2020 (\$131,571 annually) - Total Estimated Revenue: \$1,952,001 **[05-2214; APPROVED]**
73. Authorize a five-year contract, with two five-year renewal options, to provide untreated water from Lake Ray Hubbard with the City of Allen for the irrigation of Chase Oaks Golf Course located in Collin County - August 10, 2005 through May 31, 2006 (\$46,900), June 1, 2006 through May 31, 2020 (\$57,811 annually) - Total Estimated Revenue: \$856,254 **[05-2215; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [05-2216]

74. An application for a CS Commercial Service District on property zoned an IM Industrial Manufacturing District and an R-5(A) Single Family District on the north side of Interstate 30 on either side of Chalk Hill Road and an ordinance granting a CS Commercial Service District east of Chalk Hill Road, an ordinance granting a CR Community Retail District west of Chalk Hill Road, and an ordinance granting the termination of a portion of Specific Use Permit No. 98 for quarrying and mining operations
Recommendation of Staff and CPC: Approval of a CS Commercial Service District for property located east of Chalk Hill Road, approval of a CR Community Retail District on property located west of Chalk Hill Road, and approval of the termination of SUP No. 98 for Quarrying and Mining Operations, with the retention of SUP No. 1509 for Placement of Fill Material
Z034-306 (DW) [05-2217; ORDINANCES 26054 & 26055; CPC RECOMMENDATION FOLLOWED]
75. An application for and an ordinance granting an NC Neighborhood Commercial Subdistrict on property zoned an R-5(A) Single Family Subdistrict, within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest corner of Lagow Street and Metropolitan Avenue and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z045-202 (WE) [05-2218; ORDINANCE 26056; CPC RECOMMENDATION FOLLOWED]
76. An application for and an ordinance granting a Specific Use Permit for a Child-care Facility on property zoned an R-7.5(A) Single Family District on the north corner of Mojave Drive and Nandina Drive
Recommendation of Staff and CPC: Approval for a two-year period, with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions
Z045-208(MM) [05-2219; ORDINANCE 26057; CPC RECOMMENDATION FOLLOWED]
77. An application for and an ordinance granting a Specific Use Permit for a Community Service Center on property zoned an R-7.5(A) Single Family District on the south line of Oates Drive, between Marimont Lane and Michael Lane
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z045-215 (WE) [05-2220; CONTINUED UNTIL 08/24/05; HEARING OPEN]
78. An application for and an ordinance granting an MU-1 Mixed Use District on property zoned an IM Industrial Manufacturing District on the southeast corner of Interstate 30 and Interstate 45
Recommendation of Staff and CPC: Approval
Z045-216 (DW) [05-2221; ORDINANCE 26058; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - CONSENT (Continued)

79. An application for and an ordinance granting a CS Commercial Service District with retention of the D Dry Liquor Control Overlay on property zoned a CR-D Community Retail District with a Dry Liquor Control Overlay on the northwest corner of Military Parkway and St. Augustine Road and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff and CPC: Approval, with retention of the D Dry Liquor Control Overlay subject to the deed restrictions volunteered by the applicant
Z045-218 (WE) [05-2222; **ORDINANCE 26059; CPC RECOMMENDATION FOLLOWED**]
80. An application for and an ordinance granting a CR Community Retail District on property zoned an IR Industrial Research District and an IM Industrial Manufacturing District and an ordinance terminating a portion of Specific Use Permit No. 98 for quarry and mining uses on the west side of Cockrell Hill Road at Pinnacle Point Drive
Recommendation of Staff and CPC: Approval of a CR Community Retail District and approval of the termination of a portion of Specific Use Permit No. 98 for quarrying and mining
Z045-223 (WE) [05-2223; **ORDINANCES 26060 & 26061; CPC RECOMMENDATION FOLLOWED**]
81. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an A(A) Agricultural District on the west side of Dowdy Ferry Road, north of I-20
Recommendation of Staff and CPC: Approval
Z045-231 (JP) [05-2224; **ORDINANCE 26062; CPC RECOMMENDATION FOLLOWED**]

ZONING CASES - INDIVIDUAL

82. An application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an IR Industrial Research District with Specific Use Permit No. 98 for Mining and Specific Use Permit No. 627 for a Private dump for those respective portions encompassing the site on the east line of Cockrell Hill Road, south of Pinnacle Point Drive
Recommendation of Staff: Denial
Recommendation of CPC: Approval of an MF-1(A) Multifamily District and approval of the termination of a portion of Specific Use Permit No. 98 and the termination of a portion of Specific Use Permit No. 627
Z045-178 (RB) [05-2225; **ORDINANCES 26063, 26064 & 26065; CPC RECOMMENDATION FOLLOWED**]
83. An application to renew Specific Use Permit No. 1546 for a Commercial Amusement (inside) use for a Dance Hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of McKinney Avenue, southwest of Clyde Lane
Recommendation of Staff and CPC: Denial
Z045-201 (DW) [05-2226; **DELETED ON THE ADDENDUM**]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

84. 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) [05-2227; ORDINANCE 26066; CPC RECOMMENDATION FOLLOWED]
Note: This item was considered by the City Council at a public hearing on June 8, 2005, and was taken under advisement until August 10, 2005, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

85. A proposal to amend Chapter 51A of the Dallas Development Code, Article VII, "Sign Regulations," to address kiosk signs that are part of a city sponsored way finding and street amenity program and to revise the regulations regarding unity agreement signs and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA 045-011 (DC) [05-2228; CONTINUED UNTIL 08/24/05; HEARING OPEN]

BENEFIT ASSESSMENT HEARINGS

86. A benefit assessment hearing to receive citizens' comments on alley paving, street reconstruction, storm drainage, wastewater main improvements and water adjustments on Project Group 03-3000, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with VAS Engineering & Construction Company, lowest responsible bidder of four (list attached) - \$730,380 - Financing: 2003 Bond Funds (\$540,843), Water Utilities Capital Improvement Funds (\$174,782) and Water Utilities Capital Construction Funds (\$14,755) **[05-2229; ORDINANCE 26067; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS

87. A public hearing to receive citizens' comments concerning 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 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize (1) approval of a resolution creating the South Side Public Improvement District for a period of seven years, (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the South Side Quarter Development Corporation, as the management entity for the South Side Public Improvement District - Financing: No cost consideration to the City **[05-2230; HEARING CLOSED; APPROVED]**
88. A public hearing to receive citizens' comments concerning the renewal of the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and consideration at the close of the hearing, authorize (1) approval of a resolution renewing the Uptown Public Improvement District for a period of seven years, (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Uptown, Inc., as the management entity for the Uptown Public Improvement District - Financing: No cost consideration to the City **[05-2231; HEARING CLOSED; APPROVED]**
89. A public hearing to receive citizens' comments on the proposed FY 2005-06 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds, the proposed FY 2004-05 Reprogramming Budget and proposed 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 - Financing: No cost consideration to the City **[05-2232; HEARING CLOSED]**

MISCELLANEOUS HEARINGS (Continued)

90. Authorize (1) adoption of the final FY 2005-06 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in the amount of \$40,709,338 and final FY 2004-05 Reprogramming Budget in the amount of \$1,040,880 and authorization to apply for, accept, and take actions to implement FY 2005-06 HUD grant funds 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 (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 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[05-2233; APPROVED AS AMENDED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

91. 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) **[05-2234; NO APPOINTMENTS MADE TO BOARDS]**
92. Authorize hardship relief for property located at 3701 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City **[05-2235; APPROVED]**
93. Authorize hardship relief for property located at 3767 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 **[05-2236; APPROVED]**
94. Authorize hardship relief for property located at 2320 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 **[05-2237; APPROVED]**
95. Authorize hardship relief for property located at 3515 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 **[05-2238; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

96. Authorize an amendment to the Land Bank Interlocal Cooperation Contract between the City of Dallas, Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District that (1) extends the term of the contract from July 30, 2004 to September 30, 2007; (2) allows the City to refer up to an additional 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by April 30, 2006; and (3) identifies the intention of the parties that pro bono legal services will continue during the extended term of the contract - Financing: No cost consideration to the City **[05-2239; APPROVED]**
97. Authorize the acceptance of an Economic Development Initiative grant from the U.S. Department of Housing and Urban Development on behalf of the Dallas Black Dance Theater to assist in the rehabilitation of the Moreland YMCA Building located at 2700 Flora Street as a new home for its operations, outreach, rehearsals, teaching and performances - \$120,280 - Financing: U.S. Department of Housing and Urban Development, Economic Development Initiative Grant Funds **[05-2240; APPROVED]**
98. Authorize the acceptance of a Fund for the Improvement of Education grant from the U.S. Department of Education Office of Innovation and Improvement to assist in the establishment of after school programs for middle school children - \$520,800 - Financing: U.S. Department of Education, Fund for the Improvement of Education Grant Funds **[05-2241; APPROVED]**
99. Authorize the acceptance of an Economic Development Initiative grant from the U.S. Department of Housing and Urban Development to assist in construction activities related to the relocation of the Joppa Neighborhood Rodeo located at the northeast corner of Loop 12 and Carbondale Street - \$72,168 - Financing: U.S. Department of Housing and Urban Development, Economic Development Initiative Grant Funds **[05-2242; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

100. Authorize (1) an increase in the contract with Andres Construction Services, LLC for selective demolition, historic facade improvements and other public improvements for the redevelopment of 1500 Jackson Street (Interurban Building) to provide streetscape improvements in an amount not to exceed \$722,639, from \$5,129,431 to \$5,852,070, and (2) assignment to Barker-Nichols for construction management under the terms of the existing development agreement - \$722,639 - Financing: 2003 Bond Funds **[05-2243; APPROVED]**
101. An ordinance correcting Ordinance Nos. 21319, 22202, 22705, 22726, 23772 and 25026 by providing a corrected property description and correcting Article 316 of Chapter 51P of the Dallas Development Code by providing a corrected subarea map - Financing: No cost consideration to the City **[05-2244; POSTPONED INDEFINITELY]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

102. Authorize (1) a public hearing to be held on September 14, 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 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 a resolution creating the Preston Hollow North Public Improvement District for the purpose of providing supplement public services, to be funded by an assessment for each property owner of record on real property and real property improvements in the District; and providing an effective date; and (3) approval of the Preston Hollow North Public Improvement District Service Plan for 2006-2012 - Financing: No cost consideration to the City **[05-2245; APPROVED]**

103. Authorize a sixty-month service contract for workers' compensation and third party liability claims administration and related cost containment services for the period of October 1, 2005 through September 30, 2011 with the most advantageous proposer of fourteen - Tristar Risk Management - Not to exceed \$12,272,901 - Financing: Workers' Compensation Current Funds (subject to annual appropriations) **[05-2246; POSTPONED UNTIL 08/24/05]**

ADDENDUM

ADDITIONS:

Closed Session **[05-2247; CLOSED SESSION HELD]**

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

- Legal issues involving Associate Municipal Court Judge Tiffany Lewis
- Legal issues involving land acquisition for the Homeless Assistance Center
- In the matter of the City of Dallas, Docket Nos. CWA-06-2004-1911 and RCRA-06-2004-0907
- Jaime Chavez, et al. v. Mark DeLaPaz, et al., Cause No. 3:04-CV-0510-K
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- L. Dwaine Lord v. City of Dallas, et al., Civil Action No. 3:02-CV-1636-P
- Environmental Conservation Organization v. City of Dallas, No. 3:03-CV-2951-BD
- Dallas Police Association and John Krawczyk v. City of Dallas, Nos. 3:03-CV-0584-D and DV-00-08053-K
- City of Dallas v. David Llewellyn, Cause No. 04-10816-L
- Dallas Police Association v. City of Dallas, Cause No. 04-06817-C
- Nicholas D. Mosser v. Thomas Haney, Civil Action No. 3:03-CV-2660-B

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Construction Miscellaneous

1. Authorize application for and acceptance of Federal Aviation Administration Airport Improvement Program Grant Funds for eligible costs associated with the baggage claim wing renovation and expansion and terminal apron repair projects at Dallas Love Field - Not to exceed \$10,350,375 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds **[05-2248; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS

2. A resolution declaring approximately 32,865 square feet of City-owned land located at the intersection of Oak Lawn Avenue and the Dallas North Tollway unwanted and unneeded and authorizing an Interlocal Agreement with the Dallas County Hospital District providing for a joint advertisement for sale of the City property along with the adjacent Old Parkland Hospital property containing approximately 329,970 square feet of land with a combined minimum bid of \$11,000,000 and the City's share being no less than \$813,127 - Financing: No cost consideration to the City **[05-2249; APPROVED]**
3. Authorize **(1)** an exception to the Land Transfer Program Statement; and, **(2)** the release of non-tax City liens against the privately held vacant property located at 1201 S. Ewing Avenue consisting of approximately 4.77 acres, in exchange for Sphinx Development Corporation or its single asset entity providing \$100,000 towards seller's non-tax liens on the property and an unsecured promissory note in the amount of the remaining non-tax liens estimated at \$469,204, paying all delinquent taxes, penalties and interest on the property, and providing deed restrictions on the property to create 80 affordable housing units for rental to low-income households in accordance with the City's Land Transfer Policy and Program Statement - Estimated revenue foregone: \$469,204 **[05-2250; APPROVED]**
4. An ordinance abandoning an alley to Dickason-Hartford Apartments, Ltd., the abutting owner, containing approximately 3,996 square feet of land located near the intersection of Wycliff and Dickason Avenues, and authorizing the quitclaim - Revenue: \$115,484 plus the \$20 ordinance publication fee **[05-2251; ORDINANCE 26068; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

5. Authorize a twenty-year service contract for a comprehensive outdoor sign kiosk advertising program with the most advantageous proposer of five - Viacom Outdoor Group, Inc. - Estimated Net Revenue: \$21,325,000 **[05-2252; POSTPONED UNTIL 08/24/05]**
6. Authorize **(1)** the acceptance of a grant from the W.W. Caruth, Jr. Foundation Fund of Communities Foundation of Texas for a three-phase grant to provide police equipment and create a sustainable investment in the safety of the citizens of Dallas, for the period of August 1, 2005 through August 1, 2008, and, **(2)** execution of the grant agreement - Not to exceed \$15,000,000 - Financing: W.W. Caruth, Jr. Foundation Fund of Communities Foundation of Texas Grant Funds **[05-2253; APPROVED]**

ADDENDUM

CORRECTION:

103. Authorize a sixty-month service contract for workers' compensation and third party liability claims administration and related cost containment services for the period of October 1, 2005 through September 30, 2011 with the most advantageous proposer of fourteen - Tristar Risk Management - Not to exceed ~~\$12,272,904~~ \$11,991,853 - Financing: Workers' Compensation Current Funds (subject to annual appropriations) **[05-2246]**

DELETIONS:

15. Authorize (1) a contract for environmental remediation and selective demolition of 1200 Main Street with Certified/LVI Environmental Services, Inc., lowest responsible bidder of three, in an amount not to exceed \$3,868,400; (2) assignment of the construction contract to LB 1200 Main LP for construction management; and (3) payment to LB 1200 Main LP in an amount not to exceed \$881,600 for design, reimbursables and construction management - Total not to exceed \$4,750,000 - Financing: City Center TIF District Funds **[05-2157]**
44. Authorize a professional services contract with the law firm of Mounce, Green, Myers, Safi & Galatzan P.C., for legal services to represent the City in a proceeding before the Railroad Commission of Texas styled Atmos Energy Corporation Transmission Gas Cost Review, Gas Utilities Docket No. 9530 and in all other related litigation and appeals - Not to exceed \$96,000 - Financing: Current Funds **[05-2186]**
83. An application to renew Specific Use Permit No. 1546 for a Commercial Amusement (inside) use for a Dance Hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of McKinney Avenue, southwest of Clyde Lane
Recommendation of Staff and CPC: Denial
Z045-201 (DW) [05-2226]