

AGENDA
CITY COUNCIL MEETING
JANUARY 25, 2006
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) **[06-0300]**

Agenda Item/Open Microphone Speakers **[06-0301]**

VOTING AGENDA

1. Approval of Minutes of the January 11, 2006 City Council Meeting **[06-0302; APPROVED]**

CONSENT AGENDA **[06-0303]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

2. Authorize a contract for the construction of a sprayground and playground at Lake Highlands North Park located at 9344 Church Road - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$645,972 - Financing: 1998 Bond Funds (\$295,500), 2003 Bond Funds (\$100,472), and Capital Gifts, Donation and Development Funds (\$250,000) **[06-0304; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

3. Authorize (1) a contract for Phase V site demolition at Lake Cliff Tower located at 329 E. Colorado Blvd., with HZH, Inc., only bidder, in an amount not to exceed \$73,260; (2) assignment of the contract to Top Dog - Oak Cliff, L.P. for construction management; and (3) payment to Top Dog - Oak Cliff, L.P. in an amount not to exceed \$20,000 for design, reimbursables and construction management - Total not to exceed \$93,260 - Financing: Oak Cliff Gateway TIF District Funds **[06-0305; APPROVED]**

Contract Amendments

4. Authorize Supplemental Agreement No. 3 to the professional services contract with Malcolm Pirnie, Inc. for engineering services to design and incorporate new security requirements into current water facility construction projects - \$762,482, from \$1,830,527 to \$2,593,009 - Financing: Water Utilities Capital Construction Funds **[06-0306; APPROVED]**
5. Authorize an increase in the contract with WHF Electrical Contractors, Inc. for work associated with the Southside Wastewater Treatment Plant process control system expansion - \$99,796, from \$7,335,000 to \$7,434,796 - Financing: Water Utilities Capital Improvement Funds **[06-0307; APPROVED]**

Construction Miscellaneous

6. Authorize (1) the receipt and deposit of funds from the abutting property owners in an amount not to exceed \$16,120 for the reconstruction of paving improvements on the alley between Allencrest Lane and Mendenhall Drive from Snow White Drive to Midway Road, being a part of Alley Group 03-2012, and (2) an increase in appropriations in the amount of \$16,120 in the Capital Projects Reimbursement Fund - Total not to exceed \$16,120 - Financing: Private Funds **[06-0308; APPROVED]**

LAND MISCELLANEOUS

7. Authorize the sale by quitclaim deed of approximately 807 square feet of land located at 2418 Grand Avenue acquired by the taxing authorities from a Sheriff's Sale to Dallas County - Revenue: \$372 **[06-0309; APPROVED]**
8. A resolution declaring approximately 4,232 square feet of undevelopable City-owned land unwanted and unneeded located near the intersection of Pearlstone and Hickory Streets and authorize its sale to James F. Rogers and Liquid Stone, Inc., the abutting owners - Revenue: \$30,000 **[06-0310; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

9. A resolution declaring a vacant City-owned lot unwanted and unneeded located at 2539 Custer Drive near its intersection with Cardinal Drive and authorize its private sale through the Land Transfer Program, a program for the sale of tax-foreclosed, seized and surplus property for the development of low and moderate income affordable housing to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, and releasing non-tax liens totaling approximately \$415 - Revenue: \$1,000 **[06-0311; APPROVED]**
10. Authorize (1) the discharge of the secured, no-interest, forgivable note with The Bethlehem Foundation in the amount of \$25,000, and (2) the release of lien on real property located at 1159 W. Camp Wisdom Road - Financing: No cost consideration to the City **[06-0312; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

11. Authorize a twelve-month service contract, with one twelve-month renewal option, for the printing of forms with the lowest responsible bidder of two - Visual Communications - Not to exceed \$517,117 - Financing: Current Funds **[06-0313; APPROVED]**
12. Authorize the purchase and installation of a replacement automated parking system for the Central Library garage from the lowest responsible bidder of two - Associated Time Instruments, Inc. - Not to exceed \$123,585 - Financing: Library Gifts and Donations Funds **[06-0314; APPROVED]**
13. Authorize a thirty-six-month master agreement for after-market automotive parts with the lowest responsible bidders of seven - Installer Sales & Service in the amount of \$1,401,387, Midway Auto Supply, Inc. in the amount of \$776,092, Star Automotive Warehouse, Inc. in the amount of \$108,663 and Brake & Clutch Service Company in the amount of \$243,821 - Total not to exceed \$2,529,963 - Financing: Current Funds **[06-0315; APPROVED]**
14. Authorize the purchase of 5 fire pumpers, 18 rescue units, 6 Battalion Chief vehicles, 2 aerial ladder trucks, and 2 Urban Search and Rescue Units from Tyler Motor Co. dba Hall Buick Pontiac GMC in the amount of \$1,933,758, Metro Fire Apparatus Specialists in the amount of \$3,864,246 and Beaumont Motor Company dba Classic Chevrolet in the amount of \$189,516 through the Houston-Galveston Area Council of Governments - Total not to exceed \$5,987,520 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes (\$3,153,762), Current Funds (\$1,933,758), 2005-06 Urban Area Security Initiative Grant Funds (\$550,000), Federal Emergency Management Agency Grant Funds (\$350,000) **[06-0316; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

15. Authorize a two-year contract to perform administrative, marketing, collection, disbursement and record keeping services for the City of Dallas Charitable Campaign with the most advantageous proposer of two - United Way of Metropolitan Dallas, Inc. - Financing: No cost consideration to the City **[06-0317; APPROVED]**

Note: Item Nos. 16 and 17 must be considered collectively.

Co-Financial Advisor Contracts

16. * Authorize a five-year professional services contract with First Southwest Company to serve as co-financial advisor and provide financial advisory and arbitrage computation services - Financing: Co-financial advisory fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale; arbitrage computation fees to be paid from Current Funds in an amount not to exceed \$80,000 annually; fees for advisory services not related to bond issuance to be paid from Current Funds in an amount not to exceed \$60,000 annually **[06-0318; APPROVED AS AN INDIVIDUAL ITEM]**
17. * Authorize a five-year professional services contract with Estrada Hinojosa & Company, Inc. to serve as co-financial advisor and provide financial advisory services - Financing: Co-financial advisory fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale; fees for advisory services not related to bond issuance to be paid from Current Funds in an amount not to exceed \$40,000 annually **[06-0319; APPROVED AS AN INDIVIDUAL ITEM]**

MISCELLANEOUS

18. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Shannon, Gracey, Ratliff & Miller, L.L.P. for additional legal services necessary to represent the City of Dallas in the lawsuits styled Erubiel Cruz, et al. v. City of Dallas, et al., Cause No. 3:02-CV-0649-K, Joy L. Everett, et al. v. David Larsen, et al., Cause No. 3:04-CV-0192-K, and Jaime Chavez, et al. v. Mark Delapaz, et al., Cause No. 3:04-CV-0510-K - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds **[06-0320; APPROVED]**
19. An ordinance amending Chapter 2 of the Dallas City Code to provide timelines, requirements, and other procedures for filing notices of breach of contract claims against the city - Financing: No cost consideration to the City **[06-0321; ORDINANCE 26225; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

20. Authorize Supplemental Agreement No. 1 to the consolidated professional services contract with the law firm of Joe C. Tooley, Attorneys and Counselors, for additional legal services and related expenses necessary for representation of the City of Dallas in the lawsuits styled Betty Jenkins v. City of Dallas, et al., Civil Action No. 3:03-CV-0810-K, and Jaime Chavez, et al. v. City of Dallas, et al., Civil Action No. 3:04-CV-0510-K - Not to exceed \$70,000, from \$250,000 to \$320,000 - Financing: Current Funds **[06-0322; APPROVED]**
21. Authorize adoption of a Clean Fleet Vehicle Policy in accordance with the request from the North Central Texas Council of Governments' Regional Transportation Council - Financing: No cost consideration to the City **[06-0323; APPROVED]**
22. Authorize a resolution supporting a national Plug-In campaign to encourage the manufacturing of flexible-fuel plug-in hybrid vehicles - Financing: No cost consideration to the City **[06-0324; APPROVED]**
23. Authorize (1) a public hearing to be held on February 8, 2006 to receive comments on amendments to the City Center TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) increase the City's participation in the City Center TIF District from 61% to 90% beginning in the 2006 tax year, (b) shift funds among budget categories by decreasing Streetscapes in the amount of (\$2,197,095), Parking in the amount of (\$974,846), Public-use in the amount of (\$1,536,213), Public Plazas in the amount of (\$4,375,000), and increasing the Environmental Remediation/Demolition/Facade category in the amount of \$9,083,154, (c) define the use and disbursement of affordable housing funds, (d) amend the City Center TIF District boundary to exclude 1603 Commerce Street, 1607 Commerce Street, 1609 Commerce Street, 1616 Main Street, 1618 Main Street and 1622 Main Street (Neiman Marcus), (e) make corresponding modifications to the Plan and Ordinance Nos. 22802 and 23034 to implement such Plan amendments for the City Center TIF District in accordance with 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 amending Ordinance Nos. 22802 and 23034 to reflect all such Plan amendments - Financing: No cost consideration to the City **[06-0325; APPROVED]**
24. Authorize the transfer of program income derived from the settlement of a lawsuit with Aviatar Global, Inc. in the amount of \$105,610 involving a U.S. Department of Housing and Urban Development Rental Rehabilitation Program multi-family housing loan for costs associated with salaries and benefits of existing staff of the City's Land Bank in 2006 - Financing: No cost consideration to the City **[06-0326; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

25. Ratify a Memorandum of Understanding between the Dallas NAFTA Trade Corridor Coalition and the Panama Canal Authority to promote trade routes between Asia and the North America Gulf Coast via the Panama Canal and Dallas - Financing: No cost consideration to the City **[06-0327; APPROVED]**
26. Ratify a Friendship and Cooperation Protocol between the City of Dallas, the Port Authority of Topolobampo, the County of Ahome, and the Economic Development Council of Sinaloa to explore and develop a trade relationship centered on the movement of cargo from the Port of Topolobampo to destinations throughout the United States, using the City of Dallas and the Dallas NAFTA Trade Corridor as a primary point of entry into the United States - Financing: No cost consideration to the City **[06-0328; APPROVED]**
27. Authorize application for an outdoor recreational grant in the amount of \$500,000 from the Texas Parks and Wildlife Department for the Trinity Interpretive Center for site recreational elements such as birding blinds, a children's discovery playground, and a field for athletic activities - Financing: No cost consideration to the City **[06-0329; APPROVED]**
28. Authorize an Interlocal Agreement and Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period February 3, 2006 through February 2, 2007 - Financing: No cost consideration to the City **[06-0330; APPROVED AS AN INDIVIDUAL ITEM]**
29. Authorize an Interlocal Agreement between the City of Dallas, Trinity River Authority, North Texas Municipal Water District, and the Tarrant Regional Water District to evaluate the impacts of the Trinity River Basin environmental flows and inflows into the Galveston Bay on Trinity River Basin water rights - \$48,300 - Financing: Water Utilities Capital Construction Funds **[06-0331; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [06-0332]

30. An application for and an ordinance granting a Planned Development Subdistrict for single family, multiple family and mixed uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, generally bounded by Lemmon Avenue, Mahanna Street, City Limit line, Miles Street, Holland Avenue, Dorothy Street, Bowser Avenue, and Cedar Plaza Lane
Recommendation of Staff and CPC: Approval, subject to conditions, a conceptual plan, and an avigation easement, release, indemnification disclosure agreement volunteered by the applicant
Z045-297(JP) [06-0333; ORDINANCE 26226; APPROVED AS AMENDED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

31. An application for and a resolution accepting new deed restrictions volunteered by the applicant on property zoned a CS Community Service District with deed restrictions and a resolution terminating the existing deed restrictions, on the west line of St. Augustine Road, north of Military Parkway
Recommendation of Staff and CPC: Approval of the new deed restrictions volunteered by the applicant and approval of the termination of the existing deed restrictions
Z045-314(WE) [06-0334; **CPC RECOMMENDATION FOLLOWED**]

32. An application for and an ordinance granting a Specific Use Permit for a Vehicle Display, Sales and Service use on property zoned Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east line of Industrial Boulevard between Cole street and Howell Street
Recommendation of Staff: Approval, for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval, for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z056-115(WE) [06-0335; **ORDINANCE 26227; APPROVED AS AMENDED**]

33. An application for and an ordinance granting an amendment to Specific Use Permit No. 1557 for a community service center on property zoned an MF-1(A) Multifamily District, on the west corner of Holly Hill Drive and Pineland Drive
Recommendation of Staff and CPC: Approval, for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions
Z056-116(WE) [06-0336; **CONTINUED UNTIL 02/08/06; HEARING OPEN**]

34. An application for and an ordinance granting a Specific Use Permit for a Mini-warehouse on property zoned an RR-D Regional Retail District with a Dry Liquor Overlay on the west line of Duncanville Road, northeast of Walton Walker Boulevard
Recommendation of Staff and CPC: Approval, for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions
Z056-117(WE) [06-0337; **ORDINANCE 26228; CPC RECOMMENDATION FOLLOWED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

35. An application for and an ordinance granting the renewal of Specific Use Permit No. 1500 for a vehicle display, sales, and service use on property zoned Planned Development District No. 629 for MU-3 Mixed Use District uses on the northeast corner of North Central Expressway and Bonner Street
Recommendation of Staff and CPC: Approval, for a three-year period, subject to a site plan and conditions
Z056-118(MM) [06-0338; ORDINANCE 26229; CPC RECOMMENDATION FOLLOWED]
36. An application for and an ordinance granting the renewal of Specific Use Permit No. 1439 for a child-care facility on property zoned an MF-2(A) Multifamily District on the south corner of Highland Road and Hunnicut Road
Recommendation of Staff and CPC: Approval, for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z056-124(DW) [06-0339; ORDINANCE 26230; CPC RECOMMENDATION FOLLOWED]
37. An application for and an ordinance granting a Planned Development District for a Transit Passenger Station or transfer center and an MU-3 Mixed Use District on property zoned an IM Industrial Manufacturing District, an MU-3 Mixed Use District, and Planned Development District No. 269, the Deep Ellum Special Purpose District, on the southeast quadrant of Malcolm X Boulevard and Junius Street with consideration being given to granting a Specific Use Permit for a Transit Passenger Station or transfer center
Recommendation of Staff and CPC: Approval, of a Specific Use Permit for a Transit passenger station or transfer center for a permanent time period, subject to a site plan and conditions, in lieu of the requested Planned Development District
Z056-125(RB) [06-0340; ORDINANCE 26231; CPC RECOMMENDATION FOLLOWED]
38. An application for and an ordinance granting an amendment to Planned Development District No. 128 for hospital, office, and related uses on the northwest corner of Hampton Road and Perryton Drive
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, development plan and conditions
Z056-127(DW) [06-0341; ORDINANCE 26232; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL

39. An application for an MU-3 Mixed Use District and a TH-3(A) Townhouse District on property zoned an A(A) Agricultural District and Planned Development District No. 387 for office, private recreation area, inside industrial, electrical generating plant, electric substation, educational facility, and restaurant uses with Specific Use Permit No. 953 for an electrical substation on a portion of the property north of Hackberry Road, east of Belt Line Road with consideration given to a Planned Development District for an MU-3 Mixed Use District uses and a TH-3(A) Townhouse District uses and an ordinance granting a Planned Development District for an MU-3 Mixed Use District uses and a TH-3(A) Townhouse District uses
Recommendation of Staff and CPC: Approval of a Planned Development District for MU-3 Mixed Use District uses with retention of Specific Use Permit No. 953 and TH-3(A) Townhouse District uses, subject to conditions and a conceptual plan in lieu of the requested zoning
Z045-107(DW) [06-0342; ORDINANCE 26233; APPROVED AS AMENDED]
40. An application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and an R-7.5(A) Single Family District, with deed restrictions volunteered by the applicant, on the northwest corner of Crown Road and Newberry Street and an ordinance granting an IR Industrial Research District on the R-7.5(A) Single Family District portion
Recommendation of Staff and CPC: Approval of an IR Industrial Research District on that portion of the property zoned an R-7.5(A) Single Family District in lieu of the applicant's request for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant
Z056-111(MM) [06-0343; CONTINUED UNTIL 02/08/06; HEARING OPEN]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

41. An application for and an ordinance granting a Specific Use Permit for a Mini-warehouse on property located within the S-10 Subdistrict of the South Zone of Planned Development District No. 521 for Mixed Uses on the west line of Clark Road, south of Camp Wisdom Road
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, landscape plan, and conditions
Z045-214(RB) [06-0344; ORDINANCE 26234; APPROVED AS AMENDED]
Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

BENEFIT ASSESSMENT HEARINGS

42. A benefit assessment hearing to receive comments for street paving, storm drainage, water and wastewater improvements on South Chalmers Street from West Brooklyn Avenue to Gladstone Street, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City **[06-0345; ORDINANCE 26235; HEARING CLOSED; APPROVED]**
43. A benefit assessment hearing to receive comments for street paving, storm drainage, water and wastewater improvements on Haines Avenue from Wickford Street to West Colorado Boulevard, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City **[06-0346; ORDINANCE 26236; HEARING CLOSED; APPROVED]**
44. A benefit assessment hearing to receive comments for alley paving, storm drainage, water and wastewater improvements on Alley Group 03-1121, and at the close of the hearing, authorize an ordinance levying benefit assessments (list attached) - Financing: This action has no cost consideration to the City **[06-0347; ORDINANCE 26237; HEARING CLOSED; APPROVED AS AMENDED]**

FLOODPLAIN APPLICATIONS - UNDER ADVISEMENT

45. A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 0.64 acres of land, zoned Single-Family Residential (R-10A), currently in the floodplain of McKamy Branch and located on the east side of Preston Road and on the north side of McKamy Branch, Fill Permit 05-10 - Financing: No cost consideration to the City
Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open. **[06-0348; POSTPONED UNTIL 02/22/06; HEARING OPEN]**
46. A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 15.31 acres of a 32.06 total acre tract of land, zoned Light Industrial District, currently in the 100-year floodplain of the Trinity River located on Pemberton Hill Road, south of Elam Road and north of Loop 12 at the Trinity River, Fill Permit 05-07 - Financing: No cost consideration to the City
Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open. **[06-0349; POSTPONED UNTIL 04/12/06; HEARING OPEN]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Municipal Setting Designation at
6200 Denton Drive

Note: Item Nos. 47 and 48 must
be considered collectively.

47. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Manchester Investments, Inc. located at 6200 Denton Drive including the adjacent city street rights-of-way - Financing: No cost consideration to the City **[06-0350; HEARING CLOSED]**
48. * An ordinance authorizing support of the issuance of a municipal setting designation to Manchester Investments, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[06-0350; ORDINANCE 26238; APPROVED]**

Municipal Setting Designation at
6262 Cedar Springs Road

Note: Item Nos. 49 and 50 must
be considered collectively.

49. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Prescott Interests, Ltd. located at 6262 Cedar Springs Road including the adjacent street rights-of-way - Financing: No cost consideration to the City **[06-0351; HEARING CLOSED]**
50. * An ordinance authorizing support of the issuance of a municipal setting designation to Prescott Interests, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[06-0351; ORDINANCE 26239; APPROVED]**

Municipal Setting Designation at
Woodall Rodgers and Routh

Note: Item Nos. 51 and 52 must
be considered collectively.

51. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath approximately 10 acres of land owned by Crow-Billingsley #17, Ltd. and Billingsley Arts Partners, Ltd. located near Woodall Rodgers Freeway and Routh Street including the adjacent street and alley rights-of-way - Financing: No cost consideration to the City **[06-0352; HEARING CLOSED]**
52. * An ordinance authorizing support of the issuance of a municipal setting designation to Crow-Billingsley #17, Ltd. and Billingsley Arts Partners, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[06-0352; ORDINANCE 26240; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

53. 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) **[06-0353; APPOINTMENT MADE TO BOARDS]**

ITEMS FOR FURTHER CONSIDERATION

54. An ordinance granting a Planned Development District for MU-3 Mixed Use District uses on the north side of Forest Lane, west of Abrams Road subject to a development plan and conditions - Z045-287(DW) - Financing: No cost consideration to the City **[06-0354; ORDINANCE 26241; APPROVED]**
55. An ordinance abandoning subsurface and air rights under and over Alamo Street and under Houston Street to Icon Tower, LP, the abutting owner, containing approximately 463 square feet of land located near the intersections of Houston and Olive Streets and Alamo and Olive Streets, and authorizing the quitclaim - Revenue: \$11,066 plus the \$20 ordinance publication fee **[06-0355; ORDINANCE 26242; APPROVED]**

ADDENDUM

ADDITIONS:

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize an increase in the contract with Gibson and Associates, Inc. for the construction of additional bridge repairs and improvements to the Marsalis Avenue Bridge over Cedar Creek - \$133,804, from \$1,262,307 to \$1,396,111 - Financing: 2003 Bond Funds **[06-0356; APPROVED]**

LAND MISCELLANEOUS

2. Authorize a first amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to extend the lease at the East Dallas Health Center located at 3320 Live Oak Street, to be used for the Women, Infants and Children Program for the period February 1, 2006 through June 14, 2006 (\$3,825 monthly for a total of \$17,213); June 15, 2006 through June 14, 2007 (\$3,882 monthly for a total of \$46,584); June 15, 2007 through June 14, 2008 (\$3,938 monthly for a total of \$47,256); June 15, 2008 through June 14, 2009 (\$3,994 for a total of \$47,928); June 15, 2009 through June 14, 2010 (\$4,050 for a total of \$48,600); June 15, 2010 through June 14, 2011 (\$4,107 for a total of \$49,284) - Total not to exceed \$256,865 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations) **[06-0357; APPROVED]**
3. Authorize a 24-month lease agreement, with one 3-month renewal option, with Homer J. Rader, Jr., for approximately 28,000 square feet of space located at 901 South Ervay Street to be used as the Day Resource Center for the period February 1, 2006 through April 30, 2008 - Not to exceed \$471,904 - Financing: Current Funds (subject to annual appropriations) **[06-0358; APPROVED AS AN INDIVIDUAL ITEM]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

4. Authorize a service contract for citizen survey and comparative data analysis services to collect citizen opinions regarding City of Dallas services and comparing those services and citizen opinions with other major cities - National Research Center, Inc. - Sole Source - Not to exceed \$50,000 - Financing: Current Funds **[06-0359; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize an increase in the twelve-month master agreement with Lynn Smith Chevrolet for twenty-one additional police squad cars in the amount of \$367,080, and Baby Jack II Automotive LTD for eleven additional police squad cars in the amount of \$208,879 - Total not to exceed \$575,959, from \$15,196,914 to \$15,772,873 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes (\$385,920), 2004 Equipment Acquisition Contractual Obligation Notes (\$190,039) **[06-0360; APPROVED AS AN INDIVIDUAL ITEM]**

MISCELLANEOUS

6. Authorize settlement of a lawsuit styled City of Dallas v. Beazer Homes Texas, L.P., Cause No. 04-12777-G, paying Beazer Homes Texas, L.P. (Beazer) the sum of \$200,000 in exchange for Beazer recording in the deed records of Dallas County, Texas, a disclosure notifying future property owners in Beazer=s development of the existence and proposed future use of Hensley Field by fixed wing aircraft - Not to exceed \$200,000 - Financing: Current Funds **[06-0361; APPROVED]**
7. Authorize adoption of the revised Attendance Incentive Leave Program, effective April 1, 2006, to extend leave benefits previously granted to uniformed Police employees to uniformed Fire employees and civilians; and ensure that accumulation does not exceed a maximum of six days - Financing: No cost consideration to the City **[06-0362; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT

8. An application for and an ordinance granting an amendment to Tract 4 for personal service uses in Planned Development Subdistrict No. 1 for office, surface parking and MF-2 Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south corner of Hall Street and Reagan Street Recommendation of Staff and CPC: Approval, subject to conditions Z045-222 (WE) **[06-0363; ORDINANCE 26243; APPROVED AS AMENDED]**

ADDENDUM

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

9. An application for and an ordinance granting an Historic Landmark Overlay, within Planned Development Subdistrict No. 1 within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the south corner of Hall Street and Reagan Street
Recommendation of Staff and CPC: Approval, pending preservation criteria
Z056-150 (JA) [06-0364; ORDINANCE 26244; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

10. An application for and an ordinance granting the renewal of Specific Use Permit No. 1567 for a homeless assistance center use on property zoned Planned Development District No. 715 and an ordinance granting an amendment to Planned Development District No. 715 for CA-1(A) Central Area district uses and a homeless assistance center use, located on the south corner of Cadiz Street and Ervay Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z056-147 (DC) [06-0365; ORDINANCE 26245; APPROVED AS AMENDED]

ITEMS FOR INDIVIDUAL CONSIDERATION

11. An ordinance amending Chapter 8 of the Dallas City Code to provide for when a person is disqualified from serving on a city board or commission because of obligations owed to the city - Financing: No cost consideration to the City **[06-0366; ORDINANCE 26246; APPROVED]**
12. A resolution directing the City Manager and the Chief of Police to develop policies and procedures relating to the impoundment of motor vehicles at accident scenes when the vehicle owners and operators fail to show evidence of financial responsibility as required by Chapter 601 of the Texas Transportation Code - Financing: No cost consideration to the City **[06-0367; APPROVED]**
13. A resolution abating show-cause and accepting settlement with TXU Electric Delivery - Financing: No cost consideration to the City **[06-0368; APPROVED]**
14. A resolution expressing the sentiment of the City Council that Time Warner, or any cable franchise holder in the City, adopt policies and procedures for the fair treatment of its employees and for investment in the community - Financing: No cost consideration to the City **[06-0369; APPROVED AS AMENDED]**

ADDENDUM

CORRECTION:

30. An application for and an ordinance granting a Planned Development Subdistrict for single family, multiple family and ~~mixed~~ LC Light Commercial Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution accepting an avigation easement, release, indemnification disclosure agreement volunteered by the applicant on property generally bounded by Lemmon Avenue, Mahanna Street, City Limit line, Miles Street, Holland Avenue, Dorothy Street, Bowser Avenue, and Wheeler Street Cedar Plaza Lane
Recommendation of Staff and CPC: Approval, subject to conditions, a conceptual plan, and an avigation easement, release, indemnification disclosure agreement volunteered by the applicant
Z045-297 (JP) [06-0333]