

**AGENDA**  
**CITY COUNCIL MEETING**  
**FEBRUARY 22, 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) **[06-0600]**

Agenda Item/Open Microphone Speakers **[06-0601]**

VOTING AGENDA

1. Approval of Minutes of the February 8, 2006 City Council Meeting **[06-0602; APPROVED]**

CONSENT AGENDA [06-0603]

**AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS**

Engineering and Architectural Contracts

2. Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design, design development, construction documents, bidding, construction administration and topographic survey for a new playground and small custom picnic pavilion at Bel-Aire Park located at 10807 Lake Highlands Drive - \$36,500 - Financing: 2003 Bond Funds **[06-0604; APPROVED]**

## CONSENT AGENDA (Continued)

### AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

#### Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Charles F. McAfee, FAIA, NOMA, PA, Ltd. for schematic design, design development, construction documents, bidding and construction administration for the renovation of the shelter, rest room, and a new parking lot at Grauwlyer Park located at 7500 Harry Hines Boulevard - \$83,400 - Financing: 2003 Bond Funds **[06-0605; APPROVED]**

#### Authorization of Contracts

4. Authorize a personal services contract with David Hickman to design, fabricate and install a site specific artwork for a gate entrance to the visitor parking lot at Fire Station No. 40 located at 2440 Kirnwood - Not to exceed \$31,783 - Financing: 2003 Bond Funds **[06-0606; APPROVED]**
5. Authorize a personal services contract with Carolann Haggard to design, fabricate and install a permanent artwork at the new Lakewood Park located at 7142 Williamson Road - Not to exceed \$44,284 - Financing: 2003 Bond Funds **[06-0607; APPROVED]**
6. Authorize a personal services contract with Anitra Blayton to collaborate with community representatives and design consultants to design, fabricate and install an artwork or artworks appropriate to Kidd Springs Park located at 711 West Cauty - Not to exceed \$49,237 - Financing: 2003 Bond Funds **[06-0608; APPROVED]**
7. Authorize a contract for construction of modifications to the Police Identification Lab at the Jack Evans Police Headquarters Facility including installation of a separate heating, ventilation and air conditioning system for the physical evidence laboratory - Trevino & Associates Mechanical, L.P., d/b/a Trevino Mechanical Contractors, lowest responsible proposer of four - \$284,704 - Financing: 1995 Bond Funds (\$32,121), 1998 Bond Funds (\$152,073), and 2000 Certificates of Obligation (\$100,510) **[06-0609; APPROVED]**
8. Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on South Chalmers Street from West Brooklyn Avenue to Gladstone Street - PAEE Engineering Company, lowest responsible bidder of five - \$234,678 - Financing: 2003 Bond Funds (\$175,995), Water Utilities Capital Construction Funds (\$53,033), Water Utilities Capital Improvement Funds (\$5,650) **[06-0610; APPROVED]**

#### Contract Amendments

9. Authorize an increase in the contract with Harrison Quality Construction Company, Inc. for security improvements and code requirements for the Janie C. Turner Recreation Center at Pemberton Hill Park located at 6424 Elam Road - \$38,035, from \$991,302 to \$1,029,337 - Financing: 2003 Bond Funds **[06-0611; APPROVED]**

CONSENT AGENDA (Continued)  
AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

10. Authorize (1) an increase in the contract with Mid-Continental Restoration Company, Inc. for Phase II preservation of the Lake Cliff Tower located at 329 E. Colorado Blvd. in the amount of \$105,000, from \$1,137,500 to \$1,242,500; (2) an increase in the contract with Mid-Continental Restoration Company, Inc. for Phase IV concrete coring and cutting and structural modifications of the Lake Cliff Tower in the amount of \$170,000, from \$798,500 to \$968,500; and (3) assignment of the contracts to Top Dog - Oak Cliff, L.P. for construction management - Total not to exceed \$275,000 - Financing: Oak Cliff Gateway TIF District Funds **[06-0612; APPROVED]**

Construction Miscellaneous

11. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Samuell Boulevard from IH 30 to the Mesquite City Limits - \$101,666 - Financing: Texas Department of Transportation Grant Funds (\$81,333), 1998 Bond Funds (\$20,333) **[06-0613; APPROVED]**
12. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Northwest Highway from Harry Hines Boulevard to US 75 (Central Expressway) (list attached) - \$781,573 - Financing: Texas Department of Transportation Grant Funds **[06-0614; APPROVED]**
13. An ordinance amending Chapter 43 of the Dallas City Code to provide requirements, notice requirements, and other regulations for above ground utility structures - Financing: No cost consideration to the City **[06-0615; ORDINANCE 26263; APPROVED]**
14. Authorize (1) an additional payment to the Texas Department of Transportation for the City's share of the cost for construction of the Margaret Hunt Hill Bridge in an amount not to exceed \$6,000,000, (2) the receipt and deposit of funds from Hunt Petroleum Corporation through the Trinity Trust in an amount not to exceed \$6,000,000, and (3) the establishment of appropriations in the amount of \$6,000,000 in the Woodall Rodgers Bridge Fund - Total not to exceed \$6,000,000 - Financing: Private Funds **[06-0616; APPROVED AS AN INDIVIDUAL ITEM]**

LAND ACQUISITION

15. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Bayco Properties, Ltd. for approximately 2,173 square feet of unimproved land located near the intersection of Houston School Road and Killough Boulevard for the Houston School Road Project - \$1,073 - Financing: 2003 Bond Funds **[06-0617; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS

16. A resolution authorizing the sale of approximately 82,879 square feet of unwanted and unneeded City-owned land located at the intersection of Belt Line Road and Biggs Street to the only bidder, Juan F. Ruiz - Revenue: \$51,103 **[06-0618; APPROVED]**
  
17. A resolution authorizing conveyance of an access easement to Alvin Morton and Lennie M. Morton, as Trustees of the Alvin Morton and Lennie M. Morton Revocable Living Trust, the abutting owner, containing approximately 1,557 square feet of land for pedestrian and vehicular ingress and egress across City-owned land located in Kaufman County - Revenue: \$1,000 **[06-0619; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

18. Authorize Supplemental Agreement No. 1 to the contract with Computronix (Canada), Ltd. for additional professional services and hardware purchases for the land management system and for an additional interface with the centralized collections system - Not to exceed \$251,307, from \$4,826,957 to \$5,078,264 - Financing: Building Inspection Current Funds (\$80,000), 2002 Equipment Acquisition Contractual Obligation Notes (\$171,307) **[06-0620; DEFERRED UNTIL 3/08/06]**
  
19. Authorize a thirty-six-month service contract to provide Surety Support Program services for the period of April 1, 2006 through March 31, 2009, with the most advantageous proposer of five - SSP Consulting, L.C. - Not to exceed \$450,000 - Financing: Current Funds (subject to annual appropriations) **[06-0621; APPROVED]**
  
20. Authorize a thirty-six-month master agreement for janitorial supplies for City facilities with the lowest responsible bidder of two - Eagle Brush and Chemical, Inc. - Not to exceed \$440,963 - Financing: Current Funds **[06-0622; APPROVED AS AN INDIVIDUAL ITEM]**
  
21. Authorize a sixty-month service contract for the privatization of the Help Desk support through the Department of Information Resources, State of Texas Cooperative contract, with the most advantageous proposer of five, in the amount of \$1,636,663 annually - CompuCom Systems - Total not to exceed \$8,183,315 - Financing: Current Funds (subject to annual appropriations) **[06-0623; APPROVED AS AN INDIVIDUAL ITEM]**
  
22. Authorize a thirty-six-month service contract for grounds maintenance at Hensley Field with the lowest responsible bidders of four - Forest Hills Lawn Service in the amount of \$101,450 and Williams Landscape Service in the amount of \$97,550 - Total not to exceed \$199,000 - Financing: Naval Air Station Redevelopment Funds **[06-0624; APPROVED ]**
  
23. Authorize a thirty-six-month service contract for median and right-of-way maintenance with the lowest responsible bidders of three - Good Earth, Inc. in the amount of \$4,603,050 and Toledo Landscaping and Development, LLC in the amount of \$3,814,313 - Total not to exceed \$8,417,363 - Financing: Current Funds

**[06-0625; APPROVED]**  
CONSENT AGENDA (Continued)

MISCELLANEOUS

24. An ordinance adopting Dallas/Fort Worth International Airport Board's (D/FW Airport Board) Resolution No. 2005-12-480, to amend Section 6-1 of Chapter 4 of the Code of Rules and Regulations of the D/FW Airport Board to authorize an increase in the incentive fares that a taxicab driver, holder, or owner shall charge a passenger - Financing: No cost consideration to the City **[06-0626; DELETED ON THE ADDENDUM]**
25. An ordinance amending Chapter 5 of the Dallas City Code to revise the landing fees at Dallas Love Field and Dallas Executive Airports - Estimated Annual Revenue: \$951,597 **[06-0627; ORDINANCE 26264; APPROVED AS AN INDIVIDUAL ITEM]**
26. Authorize (1) an increase in appropriations in an amount not to exceed \$80,000 for the Spay/Neuter Subsidy Pilot Program to assist qualified persons with the cost of pet sterilization; and, (2) a transfer of funds from the Animal Adoption/Redemption Funds to the Sterilization Deposit Fund - Financing: No cost consideration to the City **[06-0628; APPROVED AS AN INDIVIDUAL ITEM]**
27. Authorize a public hearing to be held on March 8, 2006 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 64 located at the property north of Interstate 30 at Cockrell Hill Road; and, at the close of the hearing, consideration of (1) an ordinance creating City of Dallas Reinvestment Zone No. 64; (2) a 90 percent real property tax abatement for ten years; and (3) a 30 percent public infrastructure cost participation agreement with Turnpike West, LLC - Financing: No cost consideration to the City **[06-0629; APPROVED AS AN INDIVIDUAL ITEM]**
28. Authorize (1) a public hearing to be held on March 8, 2006 to receive comments on amendments to the Downtown Connection TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) amend the Downtown Connection TIF District boundary to exclude 2400 Bryan Street and 2215 Bryan Street (Crozier Tech), (b) provide updated Anticipated Redevelopment Projects and Projected Increment Schedule information, and (c) make corresponding modifications to the Plan and Ordinance Nos. 26020 and 26096 to implement such Plan amendments for the Downtown Connection 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. 26020 and 26096 to reflect all such Plan amendments - Financing: No cost consideration to the City **[06-0630; APPROVED]**
29. Authorize (1) amendments to the Program Statement for the Single-Family Housing Infrastructure Development Bond Program, (2) the reallocation of Bond Program proceeds for public infrastructure improvements in the City's Neighborhood Investment Program areas, and (3) a modification to the program low/moderate income definition - Financing: No cost consideration to the City **[06-0631; APPROVED]**

CONSENT AGENDA (Continued)  
MISCELLANEOUS (Continued)

30. Authorize an amendment to the Program Statement for the Dallas Urban Land Bank Demonstration Program to delete the requirement that the Investment Committee review developer proposals to purchase lots from Dallas Housing Acquisition and Development Corporation - Financing: No cost consideration to the City **[06-0632; APPROVED AS AN INDIVIDUAL ITEM]**
31. A resolution providing public notification that an employee of St. Philip's Neighborhood Development Corporation, now known as Forest Heights Neighborhood Development Corporation, a Community Housing Development Organization (CHDO), is seeking financial assistance in the form of a CHDO HOME Program Loan to purchase a single-family residence developed by St. Philip's with HOME funds in accordance with conflicts of interest provisions of the Federal Regulations contained in 24 CFR 92.356(f) - Financing: No cost consideration to the City **[06-0633; APPROVED]**
32. Authorize a public hearing to be held on March 8, 2006 to receive comments in preparation of the FY 2006-07 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[06-0634; APPROVED]**
33. Authorize an amendment to the 2006 City Calendar to add quarterly Council-Staff Planning Sessions on April 28, 2006, August 18, 2006, and October 20, 2006 - Financing: No cost consideration to the City **[06-0635; APPROVED]**
34. An ordinance amending Chapter 28 of the Dallas City Code to restrict the operation of pocket bikes, mini-motorbikes and motor assisted scooters within the city limits of Dallas - Financing: No cost consideration to the City **[06-0636; ORDINANCE 26265; APPROVED AS AN INDIVIDUAL ITEM]**
35. Authorize (1) public hearings to be held on March 8, 2006 and April 26, 2006 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on April 26, 2006, (2) consideration of an ordinance amending Chapter 31 of the Dallas City Code to readopt and continue in effect the juvenile curfew ordinance - Financing: No cost consideration to the City **[06-0637; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – INDIVIDUAL

36. An application for and an ordinance granting a Planned Development District for RR Regional Retail District uses plus multifamily uses on property zoned an MF-2(A) Multifamily District, on the north corner of Northwest Highway and Skillman Street Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions  
Z056-135(DW) [06-0638; DELETED ON THE ADDENDUM]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

37. An application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the northwest line of 52nd Street, west of Sunnyvale Street and a resolution accepting deed restrictions volunteered by the applicant  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval of a TH-2(A) Townhouse District, subject to deed restrictions volunteered by the applicant  
Z056-120(RB) [06-0639; ORDINANCE 26266; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

38. An application for and an ordinance granting the creation of a new subarea for the Booker T. Washington High School renovation within Planned Development District No. 145, the Dallas Arts District, on the northwest corner of Routh Street and Flora Street  
Recommendation of Staff and CPC: Approval, subject to site plans and conditions  
Z056-107(JH) [06-0640; ORDINANCE 26267; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

39. An application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-3 Mixed Use District on the southeast corner of Mockingbird Lane and North Central Expressway  
Recommendation of Staff and CPC: Approval, subject to a Tract 1 development/Tract 2 conceptual plan, Tract 1 landscape plan, and conditions  
Z045-249(RB) [06-0641; ORDINANCE 26268; APPROVED AS AMENDED]  
Note: This item was considered by the City Council at a public hearing on January 11, 2006, and was held under advisement until February 22, 2006, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - CONSENT

40. Consideration of amendments to Section 51-4.215, "Animal Related Uses," of Division 51-4.200, "Use Regulations," of Chapter 51A, of the Dallas Development Code, establishing appropriate zoning districts and use classifications for animal clinics with and without outside runs and an ordinance implementing the proposal  
Recommendation of Staff and CPC: Approval  
DCA 056-001 [06-0642; ORDINANCE 26269; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

41. Consideration of amendments to Subsection (a), "General Provisions," of Section 51A-4.219, "Specific Use Permit (SUP)," of Division 51A-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of Chapter 51A, the Dallas Development Code, establishing a requirement to post Specific Use Permits on the premise of a use requiring a Specific Use Permit and an ordinance implementing the proposal  
Recommendation of Staff and CPC: Approval  
DCA 056-002 [06-0643; ORDINANCE 26270; CPC RECOMMENDATION FOLLOWED]
42. Consideration of amendments to Subsection (e), "Postponements," of Section 51A-4.701, "Zoning Amendments," of Division 51A-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of Chapter 51A, of the Dallas Development Code, clarifying wording on postponements of zoning applications and an ordinance implementing the proposal  
Recommendation of Staff and CPC: Approval  
DCA 056-004 [06-0644; ORDINANCE 26271; CPC RECOMMENDATION FOLLOWED]

FLOODPLAIN APPLICATIONS - UNDER ADVISEMENT

43. 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. **[06-0645; CONTINUED UNTIL 04/12/06; HEARING OPEN]**

ITEMS FOR INDIVIDUAL CONSIDERATION

44. 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) **[06-0646; NO BOARD APPOINTMENTS]**
45. Authorize a real property tax abatement agreement with Crawford Electric Supply Company, Ltd. for the purpose of granting an eight-year abatement of 50 percent of the taxes on added value to the real property located within the Texas Enterprise Zone at 10429 Finnell Street - Revenue: First-year tax revenue estimated at \$13,721, Eight-year revenue estimated at \$109,771; (Estimated revenue foregone for eight-year property abatement is \$109,771) **[06-0647; DELETED ON THE ADDENDUM]**

ITEMS FOR FURTHER CONSIDERATION

46. A resolution commemorating the Dr. Martin Luther King, Jr. holiday - Financing: No cost consideration to the City **[06-0648; APPROVED AS AMENDED]**

## **ADDENDUM**

### ADDITIONS:

#### CONSENT ADDENDUM

#### AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

##### Authorization of Contracts

1. Authorize a contract for the construction of a new Animal Shelter to be located at 1818 N. Westmoreland Road - Alshall Construction Company, best value proposer of nine - \$11,133,000 - Financing: 2003 Bond Funds **[06-0649; APPROVED AS AN INDIVIDUAL ITEM]**
2. Authorize (1) a contract for the construction of paving, drainage and amenity improvements for the Victory Sustainable Development Project, with American Civil Constructors, Inc., lowest responsible bidder of three, in the amount of \$4,018,052, (local share to be provided by the developer), and (2) assignment of the construction contract to Anland GP, L.P. - \$4,018,052 - Financing: Capital Projects Reimbursement Funds **[06-0650; APPROVED]**

##### Construction Miscellaneous

3. Authorize submission of the list of candidate projects to the North Central Texas Council of Governments for the Regional Transportation Council Local Air Quality Program Call for Projects, and authorize acceptance and implementation of the projects selected by the Regional Transportation Council for the Local Air Quality Program (list attached) - Financing: This action has no cost consideration to the City **[06-0651; APPROVED AS AN INDIVIDUAL ITEM]**

#### MISCELLANEOUS

4. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services regarding the production of documents in connection with a federal grand jury subpoena and related matters - Not to exceed \$25,000, from \$25,000 to \$50,000 - Financing: Current Funds **[06-0652; APPROVED]**

## **ADDENDUM**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

5. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Munsch Hardt Kopf & Harr, P.C. for additional legal services needed to prepare a follow-up report on the City's independent investigation of the Dallas Police Department's "fake drug cases" - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds **[06-0653; APPROVED]**
6. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P. for additional legal advice and counsel concerning securities and aviation law matters - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds **[06-0654; APPROVED]**
7. An ordinance granting a Specific Use Permit for a Commercial Motor Vehicle Parking use on property zoned an IR Industrial Research District on the north side of Brass Way, west of Cockrell Hill Road - Z056-133(JH) - Financing: No cost consideration to the City **[06-0655; ORDINANCE 26272; APPROVED]**
8. Authorize the issuance of tax-exempt bonds to be issued by Southwest Higher Education Authority in an amount not to exceed \$85,000,000 for the benefit of Southern Methodist University - Financing: No cost consideration to the City **[06-0656; APPROVED]**

## ITEMS FOR INDIVIDUAL CONSIDERATION

9. Authorize the preparation of plans for the issuance of up to \$51,000,000 in Downtown Dallas Development Authority Contract Tax Increment Revenue Bonds for the Mercantile development project located in Reinvestment Zone Number Eleven (Downtown Connection TIF District) - Financing: This action has no cost consideration to the City **[06-0657; APPROVED]**
10. Authorize a Historic Development Program tax abatement for the Tower Petroleum Building located at 1907 Elm Street, for fifteen years on the added value of the structure only (land and existing improved value not included) - Revenue: First year tax revenue estimated at \$192,525 (Estimated revenue foregone for fifteen years is \$2,887,877) **[06-0658; APPROVED]**

DELETIONS:

24. An ordinance adopting Dallas/Fort Worth International Airport Board's (D/FW Airport Board) Resolution No. 2005-12-480, to amend Section 6-1 of Chapter 4 of the Code of Rules and Regulations of the D/FW Airport Board to authorize an increase in the incentive fares that a taxicab driver, holder, or owner shall charge a passenger - Financing: No cost consideration to the City **[06-0626]**
  
36. An application for and an ordinance granting a Planned Development District for RR Regional Retail District uses plus multifamily uses on property zoned an MF-2(A) Multifamily District, on the north corner of Northwest Highway and Skillman Street Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions  
Z056-135(DW) **[06-0638]**
  
45. Authorize a real property tax abatement agreement with Crawford Electric Supply Company, Ltd. for the purpose of granting an eight-year abatement of 50 percent of the taxes on added value to the real property located within the Texas Enterprise Zone at 10429 Finnell Street - Revenue: First-year tax revenue estimated at \$13,721, Eight-year revenue estimated at \$109,771; (Estimated revenue foregone for eight-year property abatement is \$109,771) **[06-0647]**