

AGENDA
CITY COUNCIL MEETING
MARCH 8, 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) **[06-0770]**

Agenda Item/Open Microphone Speakers **[06-0771]**

VOTING AGENDA

1. Approval of Minutes of the February 22, 2006 City Council Meeting **[06-0772; APPROVED]**

CONSENT AGENDA [06-0773; APPROVED]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Dunkin, Sims, Stoffels, Inc. for topographic survey, schematic design, design development, construction documents, bidding and construction administration services for the design of a trail within the TXU easement at Lake Highlands from Ferndale to White Rock Trail - \$34,110 - Financing: 2003 Bond Funds **[06-0774; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Dunkin, Sims, Stoffels, Inc. for topographic survey, schematic design, design development, construction documents, bidding and limited construction administration for site improvements at McCree Park located at 9016 Plano Road - \$28,352 - Financing: 2003 Bond Funds **[06-0775; APPROVED AS AN INDIVIDUAL ITEM]**

Authorization of Contracts

4. Authorize a contract for the construction of a sprayground at Campbell Green Park located at 16600 Hillcrest and construction of a sprayground and pavilion at Ridgewood Park located at 6818 Fisher Road - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$1,355,390 - Financing: 1998 Bond Funds (\$272,663) and 2003 Bond Funds (\$1,082,727) **[06-0776; APPROVED]**
5. Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, water and wastewater adjustments for the Sidewalk Replacement Program Group 01-06 - Admiral Construction Company, lowest responsible bidder of five (list attached) - \$144,543 - Financing: Capital Assessment Funds (\$140,578), Water Utilities Capital Construction Funds (\$3,965) **[06-0777; APPROVED]**
6. Authorize a contract for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Group 03-601 - McMahon Contracting, L.P., lowest responsible bidder of six (list attached) - \$1,027,837 - Financing: 2003 Bond Funds (\$803,442), Water Utilities Capital Improvement Funds (\$212,195), Water Utilities Capital Construction Funds (\$12,200) **[06-0778; APPROVED]**
7. Authorize a contract for the construction of alley paving improvements for the alley between Winchester Street and Berryhill Street, from Fremont Street to Winchester Street - Goteck Enterprises, LLC, lowest responsible bidder of seven - \$58,195 - Financing: 2003 Bond Funds **[06-0779; APPROVED]**
8. Authorize a contract for the construction of alley paving, storm drainage, water and wastewater main improvements on Alley Group 03-1121 - VAS Engineering & Construction, lowest responsible bidder of seven (list attached) - \$812,570 - Financing: 1998 Bond Funds (\$422,785), Water Utilities Capital Construction Funds (\$4,450), Water Utilities Capital Improvement Funds (\$385,335) **[06-0780; APPROVED]**

Contract Amendments

9. Authorize an increase in the contract with Turner Construction for improvements to the gorilla habitat and exhibit modifications at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$91,443, from \$1,815,657 to \$1,907,100 - Financing: 2003 Bond Funds **[06-0781; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

10. Authorize an increase in the contract with SFCC, Inc. for the installation of an irrigation system for the athletic complex, electrical service relocation, concrete sidewalks and shade structure footings at Randall Park located at 100 South Glasgow - \$161,024, from \$1,095,155 to \$1,256,179 - Financing: 2003 Bond Funds **[06-0782; APPROVED]**
11. Authorize (1) Supplemental Agreement No. 3 to the design/build contract with MetalMan Design/Build Corporation for scope changes to the design and construction contract for the African Lion and Penguin Exhibit, Cat Row Renovations, Nile Crocodile Exhibit, Rhinoceros Iguana Exhibit, Saddle-Billed Stork Exhibit, Birds of Prey Exhibit, Tamarin Exhibit, Asian Sloth Bear Exhibit, Children's Zoo Tot-Lot, and breezeway, monorail station, and fish quarantine renovations; and, (2) an increase in the Guaranteed Maximum Price for the construction of the African Penguin Exhibit, Kangaroo Exhibit and Birds of Prey Exhibit at the Dallas Zoo located at 650 South R.L. Thornton Freeway - Not to exceed \$1,477,176, from \$1,079,350 to \$2,556,526 - Financing: 2003 Bond Funds **[06-0783; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize an increase in the contract with Gibson and Associates, Inc. to provide additional concrete pavement, drilled piers and striping for the reconstruction of the airfield blast fences No. 7 and No. 8 at Dallas Love Field - \$34,157, from \$2,288,956 to \$2,323,113 - Financing: Aviation Capital Construction Funds (\$8,539), Federal Aviation Administration Airport Improvement Grant Funds (\$25,618) **[06-0784; APPROVED]**
13. Authorize an increase in the contract with C. Watts and Sons Construction, Inc., for removal of a portion of the old levee at the McCommas Bluff Landfill - \$329,769, from \$8,032,622 to \$8,362,391 - Financing: 2003 Bond Funds **[06-0785; APPROVED AS AN INDIVIDUAL ITEM]**
14. Authorize Supplemental Agreement No. 1 to the professional services contract with Freese & Nichols for contract administration, surveying, and quality control testing related to the landfill levee construction at the McCommas Bluff Landfill - \$227,500, from \$1,434,128 to \$1,661,628 - Financing: 2003 Bond Funds **[06-0786; APPROVED]**

Construction Miscellaneous

15. Authorize reimbursement to the Lee Park Arlington Hall Conservancy for its share of public improvement costs in connection with the further development of the Arlington Hall Master Plan including drainage, renovation of the picnic area, landscaping, irrigation and trail extension at Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed \$198,029 - Financing: 2003 Bond Funds **[06-0787; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

16. Authorize payment to Dallas County for the City's share of construction of paving, drainage, water and wastewater main improvements on Martin Luther King, Jr. Boulevard from north of the Trinity River to Gould Street - \$1,372,611 - Financing: 2003 Bond Funds (\$1,051,191), Water Utilities Capital Improvement Funds (\$305,770), Water Utilities Capital Construction Funds (\$15,650) **[06-0788; APPROVED]**
17. Authorize an increase in the agreement with Texas Department of Transportation for water and wastewater main appurtenance adjustments and relocation of Dallas Water Utilities facilities in conjunction with the Congestion Mitigation and Air Quality Program - \$1,177,000, from \$387,256 to \$1,564,256 - Financing: Water Utilities Capital Construction Funds (\$786,000), Water Utilities Capital Improvement Funds (\$391,000) **[06-0789; APPROVED]**

LAND ACQUISITION

18. Authorize settlement in lieu of condemnation of Young Marines of the Marine Corps League for a tract of land containing approximately 122,157 square feet located near the intersection of Lochwood Boulevard and Lake Gardens Drive for the Casa View Library Project - \$800,000 - Financing: 2003 Bond Funds **[06-0790; APPROVED]**
19. Authorize acquisition of a tract of land from Jonathan Gibson containing approximately 9,800 square feet located in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed Dallas Police Academy - \$20,000 - Financing: 2003 Bond Funds **[06-0791; APPROVED]**

LAND MISCELLANEOUS

20. An ordinance closing Leander Drive at Barberry Drive to all vehicular traffic, pursuant to Resolution No. 93-4028 previously approved on October 27, 1993, which authorizes the Policy for Closure of Local Residential Streets to Through Vehicular Traffic - Revenue: \$1,500 plus the \$20 ordinance publication fee **[06-0792; ORDINANCE 26273; APPROVED]**
21. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 18 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Good Latimer Expressway and Florence Street, Good Latimer Expressway and Pacific Avenue, Indiana and Malcolm X Boulevards, Trunk and Grand Avenues, Trunk and Peabody Avenues, Trunk and Birmingham Avenues and Tuskegee and Coolidge Streets (list attached) - Financing: No cost consideration to the City **[06-0793; APPROVED AS AN INDIVIDUAL ITEM]**
22. Authorize the quitclaim of 23 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$215,696 **[06-0794; DELETED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

23. Authorize a twenty-four-month master agreement for computer desktop software, Novell licenses, Microsoft Exchange Management Suite products and Quest active directory management and migration tools, through the Department of Information Resources, State of Texas Cooperative contract with Software House International, Inc. - Not to exceed \$3,500,000 - Financing: Current Funds **[06-0795; APPROVED AS AN INDIVIDUAL ITEM]**
24. Authorize a twenty-four-month service contract for minor plumbing repairs and the installation of ultra low flow toilets, showerheads and faucet aerators with the lowest responsible bidder of two - Capo, Inc. - Not to exceed \$244,245 - Financing: Water Utilities Current Funds **[06-0796; APPROVED]**
25. Authorize a thirty-six-month master agreement for various Trane brand air conditioning parts and equipment - Texas Trane Company - Sole Source - Not to exceed \$180,000 - Financing: Current Funds **[06-0797; APPROVED]**
26. Authorize a twenty-month master agreement for tile pipe and fittings with the lowest responsible bidder of two - Mission Clay Products - Not to exceed \$260,705 - Financing: Water Utilities Current Funds **[06-0798; APPROVED]**
27. Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - Northern Pipeline Construction Co., lowest responsible bidder of two - \$12,005,850 - Financing: Water Utilities Current Funds **[06-0799; APPROVED]**

MISCELLANEOUS

28. Authorize settlement of the claim filed by Steven Kelly, Claim No. 20042231 - Not to exceed \$12,000 - Financing: Current Funds **[06-0800; APPROVED]**
29. An ordinance amending Chapter 1 of the Dallas City Code to comply with changes in state law requiring a culpable mental state for certain ordinance violations - Financing: No cost consideration to the City **[06-0801; ORDINANCE 26274; APPROVED AS CORRECTED ON THE ADDENDUM]**
30. 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 **[06-0802; ORDINANCE 26275; APPROVED AS AN INDIVIDUAL ITEM]**
31. Authorize a replacement housing payment for Janet Brady who has been displaced as a direct result of real property acquisition of approximately 60,211 square feet of land, lots 11 & 12, block A/7042, of the Irby Subdivision, and more commonly known as 8505 Arturo Drive, to be used in conjunction with the Ash Creek Drainage Voluntary Acquisition Project - Not to exceed \$25,485 - Financing: 2003 Bond Funds **[06-0803; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

32. An ordinance authorizing a correction to Ordinance No. 25941, previously approved on April 13, 2005, for an amendment to Planned Development District No. 598 in an area bound by Wheatland Road, Polk Street, Interstate Highway 20 and Hampton Road to correct the omission of a revised tract map - Z045-167 - Financing: No cost consideration to the City **[06-0804; ORDINANCE 26276; APPROVED]**
33. Authorize an amendment to Resolution No. 05-3579, previously approved on December 14, 2005, which authorized a 90 percent tax abatement for ten years on added value to real property and a 30 percent or \$150,900, whichever is less, infrastructure cost participation agreement with SWC Westmoreland SC, Ltd. at 3400 W. Illinois Avenue located in Reinvestment Zone No. 63, to change (1) the number of jobs required to be created on the property from 350 to 200, and (2) the substantial completion date for the project from December 31, 2006 to April 30, 2007 - Financing: No cost consideration to the City **[06-0805; APPROVED AS AN INDIVIDUAL ITEM]**
34. Authorize (1) Interlocal Agreements with the Cities of Cedar Hill, DeSoto, Duncanville, Lancaster, and Mesquite for participation in the Dallas NAFTA Trade Corridor Coalition; (2) the receipt and deposit of \$10,000 from each City for a total of \$50,000 for their cost; and, (3) a payment to Dean International, Inc. in the amount of \$50,000, pursuant to the contract with Dean International, Inc. previously approved on September 9, 2005 by Resolution No. 05-2648 - Financing: No cost consideration to the City **[06-0806; APPROVED AS AN INDIVIDUAL ITEM]**
35. Authorize Interlocal Agreements with the University of North Texas, Texas Woman's University, El Centro College, and other state-funded universities to provide an opportunity for undergraduate and master level nursing and dietetic students to gain practical work experience by assisting in the City of Dallas Health Clinics for the period April 1, 2006 through March 31, 2008 - Financing: No cost consideration to the City **[06-0807; APPROVED]**
36. Authorize (1) approval of the development plan submitted by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses; and, (2) the sale of 15 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat (list attached) - Financing: No cost consideration to the City **[06-0808; APPROVED]**
37. Authorize (1) approval of the development plan submitted by Builders of Hope Community Development Corporation for the construction of affordable houses; and, (2) the sale of 14 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation (list attached) - Financing: No cost consideration to the City **[06-0809 APPROVED]**

CONSENT AGENDA (Continued)
MISCELLANEOUS (Continued)

38. Authorize a contract with the Greater Dallas Asian American Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2006 through March 31, 2007 - Not to exceed \$37,674 - Financing: Current Funds **[06-0810; APPROVED]**
39. Authorize a contract with the Greater Dallas Hispanic Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2006 through March 31, 2007 - Not to exceed \$54,212 - Financing: Current Funds **[06-0811; APPROVED]**
40. Authorize renewal of the membership with the North Central Texas Regional Certification Agency for certification services for the period of January 1, 2006 through December 31, 2006 - Not to exceed \$32,890 - Financing: Current Funds **[06-0812; APPROVED]**
41. Authorize (1) a public hearing to be held on April 26, 2006, to receive comments concerning proposed use of a portion of Emerald Lake Park; and, at the close of the hearing, (2) consideration of the installation of a permanent eight-inch wastewater line - Financing: No cost consideration to the City **[06-0813; APPROVED]**
42. Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for and acceptance of the 2006-07 Juvenile Accountability Block Grant to provide further development and enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding - \$100,053 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$90,048) and Current Funds (\$10,005) **[06-0814; APPROVED]**
43. Authorize a one-year contract with 725 Energy Partners, Ltd., to provide untreated water from Lake Lewisville in Denton County - Estimated Revenue: \$17,989 **[06-0815; DEFERRED UNTIL APRIL 2006]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [06-0816]

44. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR Community Retail District located on the northwest corner of Ledbetter Drive and Tyrone Drive
Recommendation of Staff and CPC: Approval
Z056-140(RB) [06-0817; ORDINANCE 26277; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

45. An application for and an ordinance granting a Specific Use Permit for a Fire Station and a resolution accepting the termination of existing deed restrictions on property zoned a TH-1(A) Townhouse District, at the southwest corner of Hampton Road and Kirnwood Drive
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan, landscape plan and conditions and approval of the termination of the existing deed restrictions
Z056-126(DW) [06-0818; ORDINANCE 26278; CPC RECOMMENDATION FOLLOWED]
46. An application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR Community Retail District located on the northeast corner of Arapaho Road and Meadowcreek Drive
Recommendation of Staff and CPC: Approval, for a ten-year period with automatic renewal for additional ten-year periods, subject to a site plan and conditions
Z056-137(WE) [06-0819; ORDINANCE 26279; APPROVED AS AMENDED]
47. An application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District located on the southeast line of Ferguson Road, between Hibiscus Drive and Pasteur Avenue
Recommendation of Staff and CPC: Approval for a ten-year period with automatic renewal for additional ten-year periods, subject to a site plan and conditions
Z056-138(WE) [06-0820; ORDINANCE 26280; CPC RECOMMENDATION FOLLOWED]
48. An application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned a CS Commercial Service District, with a Dry Liquor Control Overlay on a portion of the site on the east line of South Central Expressway, south of Bateman Avenue
Recommendation of Staff: Approval of an IR Industrial Research District, with retention of the Dry Liquor Control Overlay, and approval of a Specific Use Permit for an Industrial (outside) not potentially incompatible for a Concrete batch plant for a five-year period, subject to a site plan and conditions.
Recommendation of CPC: Approval of an IR Industrial Research District, with retention of the Dry Liquor Control Overlay, and approval of a Specific Use Permit for an Industrial (outside) not potentially incompatible for a Concrete batch plant for a ten-year period, subject to a site plan and conditions
Z056-142(RB) [06-821;CONTINUED UNTIL 06/14/06; HEARING OPEN]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

49. An application for a Planned Development District for RS-C Regional Service-Commercial Subdistrict Uses on property zoned an RS-C Regional Service-Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, at the north corner of Good-Latimer Expressway and Coombs Street with consideration being given to and an ordinance granting an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595
Recommendation of Staff and CPC: Approval, of an RS-MU Regional Service Mixed-Use Subdistrict in lieu of the requested Planned Development District
Z056-144(DW) [06-0822; **ORDINANCE 26281; CPC RECOMMENDATION FOLLOWED**]
50. An application for and an ordinance granting the creation of a new subarea within Planned Development District No. 215 for SC Shopping Center District and MF-3 Multiple-family District uses, on the east side of Noel Road, south of Alpha Road
Recommendation of Staff and CPC: Approval, subject to conceptual plan and conditions
Z056-146(DW) [06-0823; **ORDINANCE 26282; CPC RECOMMENDATION FOLLOWED**]
51. An application for an MF-2(A) Multifamily District with deed restrictions and an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant on property zoned an IR Industrial Research District on the northeast side of Maple Avenue, northwest of Kimsey Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions and an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant
Z045-257(JH) [06-0824; **APPROVED AS AMENDED**]
52. 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) [06-0825; **CONTINUED UNTIL 04/26/06; HEARING OPEN**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL

53. An application for a Planned Development District for A(A) Agricultural District uses plus Recreational, Residential, Lodging, and Institutional and Community Service uses and the termination of Specific Use Permit No. 965 on property zoned an A(A) Agricultural District with Specific Use Permit No. 965 for a private recreation center, club or area and Planned Development District No. 226 for single family uses on the northeast corner of Grady Niblo Road and Kiwanis Road and an ordinance granting a planned Development District on the A(A) Agricultural District portion of the site and an ordinance terminating Specific Use permit No. 965
Recommendation of Staff: Approval, subject to a conceptual plan and conditions
Recommendation of CPC: Approval of a Planned Development District excluding properties that are currently zoned Planned Development District No. 226, subject to a conceptual plan and conditions and approval of the termination of Specific Use Permit No. 965 for a private recreation center, club or area
Z045-225(DW) [06-0826; **ORDINANCE 26283 AND ORDINANCE 26284; APPROVED AS AMENDED**]
54. A City Plan Commission authorized hearing to consider proper zoning with consideration being given to the granting of a residential subdistrict comprised of uses and development standards found in the R-5 through R-16 Single Family Residential Subdistricts within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Inwood Road, Rawlins Street, Hedgerow Drive, Cedar Springs Road, Carlson Drive, and Vandelia Street and an ordinance granting a Planned Development Subdistrict for Single Family uses.
Recommendation of Staff and CPC: Approval of a Planned Development Subdistrict for Single family uses, subject to conditions
Z045-269(RB) [06-0827; **ORDINANCE 26285; APPROVED AS AMENDED**]
55. An application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District, at the east corner of Maple Avenue and Fielder Court and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant
Z056-145(DW) [06-0828; **CONTINUED UNTIL 04/26/06; HEARING OPEN**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

56. An application for and an ordinance granting the renewal of Specific Use Permit No. 1496 for an open-enrollment charter school on property zoned an IR Industrial Research District on the southeast corner of Exchange Service Drive and Joseph Hardin Drive
Recommendation of Staff and CPC: Approval for a period expiring on April 14, 2009 with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z056-122(DW) [06-0829; CONTINUED UNTIL 04/26/06; HEARING OPEN]
Note: This item was considered by the City Council at a public hearing on February 8, 2006, and was held under advisement until March 8, 2006, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - CONSENT

57. Consideration of amendments to Chapters 51, 51A, and 52 of the Dallas City Code, providing and defining a culpable mental state for offenses related to code violations which are punishable by a fine exceeding \$500; amending provisions making the agent of the property owner criminally responsible for code violations; and providing a penalty not to exceed \$2,000
Recommendation of Staff and CPC: Approval
DCA 056-005 [06-0830; ORDINANCE 26286; APPROVED AS CORRECTED ON THE ADDENDUM]
58. Consideration of amendments to Section 51A-1.106, "Notification Signs Required to be Obtained and Posted," of Chapter 51A of the Dallas Development Code to allow notification signs for Board of Adjustment compliance cases to be posted in the public right-of-way and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 056-006 [06-0831; ORDINANCE 26287; CPC RECOMMENDATION FOLLOWED]
59. Consideration of amendments to Section 51A-4.602(d), "Visual Obstruction Regulations," of Chapter 51A, the Dallas Development Code, to permit encroachments into visibility triangles caused by roadway construction or right-of-way acquisition when the director of Public Works and Transportation determines the encroachment will not constitute a traffic hazard and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 056-007 [06-0832; ORDINANCE 26288; APPROVED AS CORRECTED ON THE ADDENDUM]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

BENEFIT ASSESSMENT HEARINGS

60. A benefit assessment hearing to receive comments on sidewalk paving, and water and wastewater adjustments Sidewalk Group 03-128, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with New Star Grading & Paving Company, lowest responsible bidder of three (list attached) - \$447,097 - Financing: 2003 Bond Funds (\$414,947), Water Utilities Capital Improvement Funds (\$1,500), and Water Utilities Capital Construction Funds (\$30,650) **[06-0833; ORDINANCE 26289; APPROVED]**
61. A benefit assessment hearing to receive comments to correct and adjust the assessments for the cost of improvements against the abutting property owners at 508 N. Jester Avenue, 511 N. Jester Avenue, 510 N. Ravinia Drive, 511 N. Ravinia Drive, 2940 W. Davis Street and 3002 W. Davis Street, (Street Group 98-431); and at the close of the hearing, consideration of an ordinance amending Ordinance No. 25071, previously approved on October 23, 2002, to reflect these corrections and adjustments - Financing: No cost consideration to the City **[06-0834; ORDINANCE 26290; APPROVED]**

FLOODPLAIN APPLICATION

62. A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 12.56 acres of a 24.51 total acre tract of land, zoned Single Family Residential (R10), currently in the 100-year floodplain of Prairie Creek, located west of St. Augustine Road, north of Interstate 20, along Sandyland Boulevard, Fill Permit 05-11 - Financing: No cost consideration to the City **[06-0835; HEARING CLOSED]**

MISCELLANEOUS HEARINGS

Downtown Connection TIF District

Note: Item Nos. 63 and 64 must be considered collectively.

63. * A public hearing 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, which created the Downtown Connection TIF District and adopted the Plan for the Downtown Connection Tax Increment Financing District - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Downtown Connection
TIF District (Continued)

Note: Item Nos. 63 and 64 must be considered collectively.

64. * An ordinance amending Nos. 26020 and 26096 to amend the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Eleven, City of Dallas, Texas (Downtown Connection TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) amend the Downtown Connection TIF District boundary to exclude 2400 Bryan Street and 2215 Bryan Street (Crozier Tech), and (b) provide updated Anticipated Redevelopment Projects and Projected Increment Schedule information - Financing: No cost consideration to the City **[06-0836; ORDINANCE 26291; APPROVED]**

Reinvestment Zone No. 64

Note: Item Nos. 65 and 66 must be considered collectively.

65. * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 64, incorporating property on the north side of Interstate 30 at Cockrell Hill Road, for the purpose of granting a real property tax abatement to Turnpike West, LLC - Financing: No cost consideration to the City **[06-0837; HEARING CLOSED]**
66. * An ordinance designating property at Interstate 30 and Cockrell Hill Road, as City of Dallas Reinvestment Zone No. 64, for the purpose of granting a real property tax abatement to Turnpike West, LLC establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City **[06-0837; ORDINANCE 26292; APPROVED]**

Reinvestment Zone No. 64

Note: Item Nos. 67 and 68 must be considered collectively.

67. * Authorize a real property tax abatement agreement for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property; with Turnpike West, LLC for property located within City of Dallas Reinvestment Zone No. 64, at Interstate 30 and Cockrell Hill Road - Revenue: First year tax revenue estimated at \$12,238; ten-year tax revenue estimated at \$122,380; (Estimated revenue foregone for ten-year real property abatement is \$1,101,424) **[06-0838; APPROVED]**

68. * Authorize a 30 percent public infrastructure cost participation agreement with Turnpike West, LLC for the construction of public infrastructure to support the development of retail and industrial development at the north side of Interstate 30 and Cockrell Hill Road in Reinvestment Zone No. 64 - Not to exceed \$429,000 - Financing: 2003 Bond Funds **[06-0839; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

69. A public hearing to receive comments in preparation of the FY 2006-07 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[06-0840; HEARING CLOSED]**
70. A public hearing to receive comments on the renewal of the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City **[06-0841; HEARING CLOSED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

71. 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) **[06-0842; APPOINTMENTS MADE TO BOARDS]**
72. Authorize a contract for the supply and installation of library shelving, furniture and appurtenances for the replacement Hampton-Illinois Branch Library located at 2919 S. Hampton - Libra-Tech Corporation, only bidder - \$127,658 - Financing: 2003 Bond Funds **[06-0843; APPROVED]**

I-30 Distribution, LP Incentives

Note: Item Nos. 73 and 74 must be considered collectively.

73. * Authorize a real property tax abatement agreement with I-30 Distribution, LP for the purpose of granting a ten-year abatement of 75 percent of the taxes on added value to the real property at Interstate 30 and Adler Road for a commercial warehouse development - Revenue: First year tax revenue estimated at \$29,668; Ten-year tax revenue estimated at \$348,599; (Estimated revenue foregone for ten-year real property abatement is \$1,045,797) **[06-0844; APPROVED]**
74. * Authorize a 30 percent public infrastructure cost participation agreement with I-30 Distribution, LP for the construction of public infrastructure to support development of a minimum of 720,000 square feet of commercial/industrial space south of Interstate 30 and Adler Road in a Texas Enterprise - Not to exceed \$519,073 - Financing: 2003 Bond Funds **[06-0845; APPROVED]**

Impoundment of Motor Vehicles

75. * An ordinance amending Chapter 28 of the Dallas City Code to authorize the police to impound a motor vehicle at an accident scene if the vehicle's owner or operator fails to show evidence of financial responsibility - Financing: No cost

consideration to the City **[06-0846; ORDINANCE 26293; APPROVED]**

76. * A resolution adopting 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 **[06-0847; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

77. 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) **[06-0848; APPROVED AS CORRECTED ON THE ADDENDUM]**

ADDITIONS:

Closed Session **[06-0849; CLOSED SESSION HELD]**

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

- City of Dallas v. Jim Lowenberg, et al., Appellees,
No. 11-03-00061-CV
- Zackary N. Belton v. City of Dallas, Cause No. 04-12276-D
- Pedro A. Lopez, et al. v. City of Dallas,
Civil Action No. 3:03-CV-2223-M
- Legal issues relating to proposed settlement of City of Dallas, Texas
v. Hanover Insurance Co., Cause No. 04-11911-G

Personnel (Sec. 551.074 T.O.M.A.)

- Appointment of Deborah Watkins as City Secretary for City of Dallas

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize **(1)** a contract for the construction of storm drainage and water and wastewater mains for Flora Street from Leonard Street to Routh Street, Jack Evans Street from Woodall Rodgers to Ross Avenue, and Leonard Street from Flora Street to Ross Avenue with AUI Contractors, L.P., lowest responsible bidder of two, in an amount not to exceed \$1,989,887, **(2)** the assignment of the construction contract to the Dallas Center for the Performing Arts Foundation, Inc. as the City's agent and construction manager for all purposes including inspection, supervision and coordination of construction work and, **(3)** the establishment of appropriations in the amount of \$1,989,887 in the Performing Arts Theater Advance Fund - Financing: Private Funds (to be reimbursed from the proceeds of the sale of 2003 General Obligation Bonds) **[06-0850; APPROVED]**
2. Authorize a contract for storm water improvements to repair the trash collection area at Dallas Farmers Market - Texas Standard Construction, Ltd., lowest responsible bidder of three - \$104,500 - Financing: 2004 Certificates of Obligation **[06-0851; APPROVED]**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

3. Authorize **(1)** an increase in the contract with Jennings Glass Contractors for window replacement related to the redevelopment of the Republic Center Tower I located at 300 N. Ervay Street, in an amount not to exceed \$63,750, from \$1,297,000 to \$1,360,750; **(2)** assignment of the contract to Ervay Residential Limited Partnership, Inc. for construction management; **(3)** a decrease in the payment to Ervay Residential Limited Partnership, Inc. for design reimbursement in an amount not to exceed (\$63,750), from \$2,092,401 to \$2,028,651; and **(4)** an extension of the completion deadline from September 30, 2006 to June 30, 2007 - Financing: No cost consideration to the City **[06-0852; APPROVED]**
4. Authorize **(1)** an increase in the contract with Key Construction, Inc. for historic rehabilitation related to the redevelopment of the Gulf States Building located at 1415 Main Street in an amount not to exceed \$80,878, from \$2,594,000 to \$2,674,878; **(2)** assignment of the contract to G.S. Murray Development for construction management; **(3)** a decrease in the payment to G.S. Murray Development for construction management in an amount not to exceed (\$80,878), from \$1,044,360 to \$963,482; **(4)** a revision to the number of required residential units from 68 to approximately 64 units; and **(5)** an extension of the project completion deadline from February 28, 2006 to October 31, 2006 - Financing: No cost consideration to the City **[06-0853; APPROVED]**
5. Authorize **(1)** an increase in the contract with Certified/LVI Environmental Services, Inc. for abatement and selective demolition at the Fidelity Union Life Buildings located at 1507 Pacific Avenue, 1511 Bryan Street and 318 N. Akard Street in an amount not to exceed \$594,955, from \$8,288,000 to \$8,882,955; **(2)** assignment of the contract to Hamilton Fidelity Development, LP; and **(3)** a decrease in the payment to Hamilton Fidelity Development, LP for design, reimbursables and construction management in an amount not to exceed (\$594,955), from \$712,000 to \$117,045 - Financing: No cost consideration to the City **[06-0854; APPROVED]**
6. Authorize an increase in the contract with Rebcon, Inc. to provide additional median and paving quantities, lane designation and traffic handling, and the storm water quality construction requirements for the South Central Addition Improvements, Phase I - \$339,076, from \$3,637,851 to \$3,976,927 - Financing: 1998 Bond Funds **[06-0855; APPROVED]**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

7. Authorize an increase in the contract with Rebcon, Inc. for the new Linfield Road Bridge, to provide safety items including fencing along the bridge rail, address the increased concrete rail cost and the construction sequencing for the relocation of TXU power and the railroad crossing signal for the South Central Addition Improvements, Phase I, Linfield Road Bridge - \$208,600, from \$1,419,964 to \$1,628,564 - Financing: 1998 Bond Funds **[06-0856; APPROVED]**

Construction Miscellaneous

8. Authorize an amendment to the Interlocal Agreement with the Texas Department of Transportation to allow federal project savings to be used for the Transportation Management System upgrade using bond funds for the City's match and to increase the contract time - \$137,100 - Financing: 2003 Bond Funds **[06-0857; APPROVED]**
9. Authorize **(1)** rescinding the contract with Piazza Construction, LTD for the construction of the Fire Station No. 38 replacement facility at 2839 Wilhurt Avenue, previously approved on December 14, 2005 by Resolution No. 05-3587, in the amount of \$2,694,341; and **(2)** a contract for the construction of the Fire Station No. 38 replacement facility at 2839 Wilhurt Avenue with JE Dunn Construction, best value proposer of ten - \$2,799,980 - Financing: 2003 Bond Funds **[06-0858; APPROVED]**

LAND MISCELLANEOUS

10. An ordinance abandoning surface and air rights on and over a portion of an alley to Walter T. Pearson, Jr., and M. Heather Paterson-Pearson, the abutting owners, containing approximately 81 square feet of land located near the intersection of Gaston Avenue and Ridgeway Street, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[06-0859; ORDINANCE 26294; APPROVED]**
11. An ordinance abandoning a portion of Directors Row to Labatt Food Service, LP, the abutting owner, containing approximately 21,458 square feet of land located at its intersection with Monetary Drive, and authorizing the quitclaim - Revenue: \$136,795 plus the \$20 ordinance publication fee **[06-0860; ORDINANCE 26295; APPROVED AS AN INDIVIDUAL ITEM]**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

12. Authorize a service contract to provide facilities for an assessment center for promotional testing for Police Sergeant candidates, with the best value bidder of two - Fairmont Hotel Dallas - Not to exceed \$102,374 - Financing: Current Funds **[06-0861; APPROVED AS AN INDIVIDUAL ITEM]**
13. Authorize the purchase of flood lights and poles for Fair Oaks Park located at 7600 Fair Oaks with the lowest responsible bidder of two - Wesco Distribution, Inc. - Not to exceed \$107,716 - Financing: Current Funds (to be fully reimbursed by 2003 Bond Funds) **[06-0862; APPROVED]**
14. Authorize a professional services contract to provide strategic budget development services, Phase II - Public Strategies Group - Not to exceed \$123,000 - Financing: Current Funds (to be reimbursed by private donations) **[06-0863; APPROVED AS AN INDIVIDUAL ITEM]**

RATIFICATION OF EMERGENCY REPAIRS

15. Ratify an increase in the contract with Gibson & Associates, Inc., for the construction of the terminal apron repairs at Dallas Love Field to provide emergency repairs of below grade fuel lines located on the east concourse apron in the interest of public safety and environmental hazards - Not to exceed \$331,714, from \$1,848,662 to \$2,180,376 - Financing: Federal Aviation Administration Airport Improvement Grant Funds **[06-0864; APPROVED]**

MISCELLANEOUS

16. Authorize settlement of the lawsuit styled Jaime Chavez, et al. v. Mark DeLaPaz, et al., Civil Action No. 3:04-CV-0510-K - Not to exceed \$75,000 - Financing: Current Funds **[06-0865; APPROVED]**
17. Authorize Supplemental Agreement No. 2 to the development agreement with Dunhill 1530 Main L.P. for the redevelopment of 1530 Main Street and 1524 Main Street (Joule Hotel) to reflect revised terms to **(1)** extend the project deadline from January 1, 2007 to December 31, 2007, **(2)** remove the health club and spa requirement, **(3)** combine and increase the private investment on both buildings from \$24,000,000 to \$31,500,000, and **(4)** increase the number of hotel rooms from 108 to 114 - Financing: No cost consideration to the City **[06-0866; APPROVED]**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

18. Authorize the issuance of tax-exempt bonds to be issued by Tarrant County Cultural Education Facilities Finance Corporation in an amount not to exceed \$100,000,000 for the benefit of Northwest Senior Housing Corporation - Financing: No cost consideration to the City **[06-0867; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

19. An application for and an ordinance granting an amendment to the Conceptual Plan and conditions for Planned Development District No. 174 for Retirement housing, Assisted living, Convalescent and nursing home, Multiple family, Hotel, Office, Game court center, Private recreation club, Private club, Medical clinic, Electrical substation, and those retail uses permitted as limited uses in an Office 2 District located on the west corner of Lemmon Avenue and Carlisle Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z045-296(RB) **[06-0868; ORDINANCE 26296; APPROVED AS AMENDED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

20. Authorize the appointment of Deborah Watkins as City Secretary for the City of Dallas for a two-year term beginning on March 15, 2006 - Financing: No additional cost consideration to the City **[06-0869; APPROVED]**
21. Authorize a resolution in support of a pre-application waiver for Texas Department of Housing and Community Affairs 9% low income housing tax-credits and/or tax-exempt bond and 4% low income housing tax credit financing for the rehabilitation of the City Walk at Akard Project to be located at 511 North Akard into 209 multifamily units - Financing: No cost consideration to the City **[06-0871; APPROVED]**
22. Adoption of a Concurrent Resolution by the City Councils of the Cities of Dallas and Fort Worth requesting the U.S. Congress to refrain from taking any further action regarding the Wright Amendment to allow the Cities an opportunity to work towards developing a plan for addressing air operations and aviation needs in the North Central Texas region (via Mayor Miller) **[06-0870; APPROVED AS AMENDED]**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

23. Authorize the adoption of a Cultural Facilities Naming Rights Policy (the Policy) which articulates the general criteria and procedure for naming certain city-owned cultural facilities as well as the scope of the Policy, amending Resolution No. 02-3206, previously approved on November 13, 2002, adopting a revised Cultural Policy and Program which articulates the guiding principles, goals and methods through which the City seeks to meet the future culture needs of the community - Financing: No cost consideration to the City **[06-0872; APPROVED]**
24. Authorize **(1)** the issuance and sale of up to \$51,000,000 in Downtown Dallas Development Authority Contract Tax Increment Revenue Bonds for the Mercantile project improvements; **(2)** approval of the Preliminary Official Statement, Trust Indenture and Bond Resolution; and, **(3)** enacting other provisions in connection therewith - Financing: This action has no cost consideration to the City **[06-0873; APPROVED]**
25. Authorize the preparation of plans for the issuance of an amount not to exceed \$266,000,000 in Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2006 - Financing: This action has no cost consideration to the City **[06-0874; APPROVED]**
26. Authorize an increase in the contract with JRJ Paving, L.P. for the construction of additional excavation, storm sewer and water improvements for Beckleymeade Avenue from Hampton Road to the Dallas Independent School District Athletic Complex - \$263,153, from \$1,756,307 to \$2,019,460 - Financing: 2003 Bond Funds **[06-0875; APPROVED]**

CORRECTIONS:

29. An ordinance amending Chapters 1 and 18 of the Dallas City Code to comply with changes in state law requiring a culpable mental state for certain ordinance violations and to reduce from \$2,000 to \$500 the maximum fine for early placement of garbage, oversize brush, and bulky trash, and for the late removal of garbage containers - Financing: No cost consideration to the City **[06-0801]**

CORRECTIONS: (Continued)

57. Consideration of amendments to Chapters 51, 51A, and 52 of the Dallas City Code, providing and defining a culpable mental state for offenses related to code violations which are punishable by a fine exceeding \$500; amending provisions making the agent of the property owner criminally responsible for code violations; and providing a penalty not to exceed \$2,000 and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 056-005 [06-0830]
59. Consideration of amendments to Section 51A-4.602(d), "Visual Obstruction Regulations," of Chapter 51A, the Dallas Development Code, to permit encroachments into visibility triangles caused by roadway construction or right-of-way acquisition when the director of Public Works and Transportation determines the encroachment will not constitute a traffic hazard and clarify that structures that encroach into visibility triangles as a result of right-of-way acquisition or road construction are non-conforming structures and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 056-007 [06-0832]
77. Authorize Supplemental Agreement No. 4 4 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~~ \$4,826,597 to ~~\$5,078,264~~ \$5,077,904 - Financing: Building Inspection Current Funds (\$80,000), 2002 Equipment Acquisition Contractual Obligation Notes (\$171,307) **[06-0848]**