

AGENDA
CITY COUNCIL MEETING
FEBRUARY 10, 1999
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[99-0540]**

Agenda Item/Open Microphone Speakers **[99-0541]**

VOTING AGENDA

1. Approval of Minutes of the January 13, 1999 and January 27, 1999 City Council Meetings **[APPROVED; 99-0542]**

CONSENT AGENDA **[99-0543]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with BCI Architects to provide design services including schematic design, design development, construction documents, bidding phase and site observation for improvements at Arcadia Park Recreation Center - \$19,950 - Financing: 1997-98 Community Development Grant Funds **[APPROVED; 99-0544]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Bridgefarmer & Associates, Inc. for the design of street paving, storm drainage, water and wastewater main improvements on Highland Road from Ferguson Road to Jim Miller Road - \$254,070 - Financing: 1998 Bond Funds (\$196,160), Water Utilities Capital Improvement Funds (\$57,910) **[APPROVED; 99-0545]**

Authorization of Contracts

4. Authorize a contract for the renovation of four branch libraries, Lakewood, Highland Hills, Hampton-Illinois and North Oak Cliff - Gilbert May, Inc., only bidder - \$290,026 - Financing: 1995-96 Community Development Grant Funds (\$130,997), 1996-97 Community Development Grant Funds (\$149,874), Gifts and Donation Funds (\$8,000), Current Funds (\$1,155) **[APPROVED; 99-0546]**
5. Authorize a contract for lighting improvements to the ballfield at Kleberg/Rylie Park - Nema 3 Electric, Inc., lowest responsible bidder of three - \$68,000 - Financing: 1997-98 Community Development Grant Funds **[APPROVED; 99-0547]**
6. Authorize a contract for the demolition and removal of an apartment complex located at 3633 Legendary Lane - J. R. Ramon and Sons, Inc., lowest responsible bidder of seven - \$92,480 - Financing: Demolition Reserve Funds **[APPROVED; 99-0548]**
7. Authorize a contract for the construction of drainage improvements on Lisbon Branch at Ledbetter Drive - Linder-Stahl Construction Co., Inc., lowest responsible bidder of four - \$345,706 - Financing: Neighborhood Renaissance Partnership Section 108 Notes **[APPROVED; 99-0549]**

Contract Amendments

8. Authorize an increase in the contract with Randall & Blake, Inc. for renovation of the DeGolyer House, Motor Court and Indian Court at the Dallas Arboretum to include demolition, drainage, concrete, brick pavers, granite, paint, irrigation, electrical, plumbing, french drain, and greenhouse area and east garden wall renovation - \$238,819, from \$1,641,819 to \$1,880,638 - Financing: 1985 Bond Funds **[APPROVED; 99-0550]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

9. Authorize Supplemental Agreement No. 2 to the contract with Spencer Design Group, Inc. for additional design services for Phase II renovation of the Kalita Humphreys Theater - \$21,185, from \$18,313 to \$39,498 - Financing: 1985 Bond Funds (\$7,110), Capital Construction Funds (\$14,075) **[APPROVED; 99-0551]**
10. Authorize an increase in the contract with Jeske Construction Co. to provide additional erosion control improvements and additional sanitary sewer lateral work on Beckley Club Branch from Saner Avenue to Ohio Avenue - \$56,811, from \$342,990 to \$399,801 - Financing: Neighborhood Renaissance Partnership Section 108 Notes **[APPROVED; 99-0552]**
11. Authorize an increase in the contract with Lockwood, Andrews & Newnam, Inc. to provide engineering services for design modifications to the solids screening and thickening facility at the Southside Wastewater Treatment Plant - \$56,112, from \$1,474,097 to \$1,530,209 - Financing: Water Utilities Capital Improvement Funds **[APPROVED; 99-0553]**
12. Authorize an increase in the contract with Archer-Western Contractors, Ltd. for Central Wastewater Treatment Plant grit removal and air line modifications to provide emergency repair of an 84-inch plant effluent pipe - \$250,000, from \$12,239,254 to \$12,489,254 - Financing: Water Utilities Capital Improvement Funds **[APPROVED; 99-0554]**

Construction Miscellaneous

13. Authorize rejection of the only bid received for the swimming pool renovation for Glendale Park and authorize readvertisement for new bids - Financing: No cost consideration to the City **[APPROVED; 99-0555]**
14. Authorize rejection of the only bid received for the swimming pool renovation for Tommie M. Allen Park and authorize readvertisement for new bids - Financing: No cost consideration to the City **[APPROVED; 99-0556]**

CONSENT AGENDA (Continued)Construction Miscellaneous (Continued)**Arizona Avenue from dead-end south of Montana Avenue to Woodin Boulevard**

15. * Authorize street paving, storm drainage, and water main improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law **[APPROVED; 99-0557]**
16. * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City **[APPROVED; 99-0558]**

LAND ACQUISITION

17. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sigmor Corporation, of approximately 1,700 square feet of land for street improvements at the intersection of Bruton and St. Augustine Roads - \$13,770 - Financing: 1995 Bond Funds **[APPROVED; 99-0559]**
18. Authorize deposit of a Special Commissioners' Award for acquisition from Dallas County Memorial Post No. 2414, Veterans of Foreign Wars, of a tract of land containing approximately 3 acres, for the Five Mile Creek greenbelt project, near Coombs Creek Drive and Illinois Avenue - \$33,340 - Financing: 1985 Bond Funds **[APPROVED; 99-0560]**

LAND MISCELLANEOUS

19. Authorize two thirty-year leases, with two five-year option periods, of approximately 39,975 square feet of land improved with multiple aircraft storage T-hangars, ramp and taxiway facilities, with Jeffrey L. Conkright, dba, JC Aviation Investments, at Redbird Airport - Revenue: \$5,197 annually **[REFERRED BACK TO THE TRANSPORTATION COMMITTEE; 99-0561]**
20. Authorize the quitclaim of 26 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders (list attached) - Revenue: \$182,102 **[APPROVED; 99-0562]**
21. An ordinance reabandoning a portion of an alley to 3225 Turtle Creek, L.P., the abutting owner, containing approximately 1,775 square feet of land, located near the intersection of Sale and Hall Streets, providing for the dedication of approximately 5,266 square feet of land needed for an alley right-of-way, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee **[APPROVED; 99-0563; ORDINANCE NO. 23778]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

22. Authorize a thirty-six month price agreement for polyethylene bags with the lowest responsible bidder of four - Arrow Industries, Inc. - Not to exceed \$472,059 - Financing: Current Funds **[APPROVED; 99-0564]**
23. Authorize the purchase of a mail inserter and a five year maintenance agreement with the lowest responsible bidder of two - Bell and Howell Mail Processing Systems Company - Not to exceed \$292,574 - Financing: 1997 Equipment Acquisition Contractual Obligation Notes (\$209,649), Current Funds (\$82,925) **[APPROVED; 99-0565]**
24. Authorize **(1)** purchase and installation of Phase I and Phase II of the automated Flooded Roadway Warning System with the lowest responsible bidder of two - HSQ Technology and; **(2)** an \$181,995 appropriation increase in the Street and Sanitation Department - Not to exceed \$2,298,850 - Financing: 1992 Equipment Acquisition Contractual Obligation Notes (\$113,025), 1995 Equipment Acquisition Contractual Obligation Notes (\$419,197), 1996 Equipment Acquisition Contractual Obligation Notes(\$35,033), 1997 Equipment Acquisition Contractual Obligation Notes (\$699,600), 1998 Equipment Acquisition Contractual Obligation Notes (\$780,000), Contingency Reserve Funds (\$181,995), Current Funds (\$70,000) **[APPROVED; 99-0566]**

RATIFICATION OF EMERGENCY PURCHASE

25. Authorize ratification of an emergency purchase for repair of sludge pumps at the East Side Water Treatment Plant and pump motor at the Southcliff Pump Station - Shermco Industries, Inc. - Not to exceed \$69,796 - Financing: Water Utilities Current Funds **[APPROVED; 99-0567]**

MISCELLANEOUS

26. Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair (SHARE) Demonstration Program for homeowner Billy Lee Jones, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$40,000 - Financing: 1995-96 Community Development Grant Funds (\$5,000), 1996-97 Community Development Grant Funds (\$22,500) and 1998-99 Community Development Grant Funds (\$12,500) **[APPROVED; 99-0568]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

27. Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair (SHARE) Demonstration Program for homeowner Arnee A. McNeal, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$40,000 - Financing: 1996-97 Community Development Grant Funds (\$22,500) and 1998-99 Community Development Grant Funds (\$17,500) **[APPROVED; 99-0569]**
28. Authorize approval of the bi-weekly tax action **[APPROVED; 99-0570]**
29. A resolution extending the City Council's decision deadline for Texas Utilities Electric Company's proposed new optional rate schedules for 90 days from February 19, 1999 to June 19, 1999 - Financing: No cost consideration to the City **[APPROVED; 99-0571]**
30. Authorize the assignment of the Tangible Personal Property Tax Abatement Agreement, approved by City Council Resolutions Number 96-0459 and 96-1848, between the City of Dallas, TeleService Resources, Inc. and Principal Mutual Life Insurance Company to American Airlines, Inc., which has agreed to assume all of the terms and conditions outlined in the Agreement for TeleService Resources, Inc. - Financing: No cost consideration to the City **[APPROVED AS AN INDIVIDUAL ITEM; 99-0572]**
31. Authorize an Interlocal Agreement with El Centro College to provide job training and student stipends for program participants in Dallas Area Interfaith's "Workpaths 2000" job training program for the period March 1, 1999 through February 28, 2001 - \$100,000 - Financing: Current Funds **[DEFERRED UNTIL 02/24/99; 99-0573]**
32. Adoption of the City's Federal Legislative Program (recommended by the Legislative Affairs Committee) - Financing: No cost consideration to the City **[APPROVED; 99-0574]**
33. Authorize a grant agreement with the Texas Department of Economic Development under the Defense Economic Adjustment Assistance Grant Program for water and wastewater upgrades at Naval Air Station Dallas which includes a local community match, cash and/or in kind, by local government or business, in the amount of \$1,600,000 and execution of the grant agreement - \$2,400,000 - Financing: Texas Department of Economic Development, Defense Economic Adjustment Assistance Grant Program Funds (\$800,000) and Private Funds (\$1,600,000) **[APPROVED; 99-0575]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

34. Authorize a Preservation Incentives Tax Abatement for Futura Lofts located at 3210 Main Street, Dallas, Texas - Financing: No cost consideration to the City (Estimated revenue foregone for 15 year abatement \$316,624) **[APPROVED; 99-0576]**
35. Authorize a Preservation Incentives Tax Abatement for Futura Lofts located at 3221 Commerce Street, Dallas, Texas - Financing: No cost consideration to the City (Estimated revenue foregone for 15 year abatement \$530,000) **[APPROVED; 99-0577]**
36. Authorize hardship relief for Ross Green Partners L.P. for property at 1704 Greenville Avenue at Ross Avenue, northeast corner from the Lower Greenville area moratorium (Resolution No. 983668, adopted by the City Council on December 16, 1998) - Financing: No cost consideration to the City **[APPROVED; 99-0578]**
37. An ordinance authorizing a Planned Development District for the C.F. Hawn Freeway Special Purpose District No. 1, retaining the Dry Overlay Districts, on property presently zoned a CS Commercial Service District, a CS-D Commercial Service -Dry District, a CS-D-1 Commercial Service-Dry District, a TH-3(A) Townhouse District, an IM Industrial Manufacturing District, an IM-D-1 Industrial Manufacturing District, an RR Regional Retail District, a CR Community Retail District and Planned Development District No. 376 for IM Industrial Manufacturing District Uses on both sides of C.F. Hawn Freeway between Lake June Road and Buckner Boulevard (Z978-197/10534-SE(CG) - Financing: No cost consideration to the City **[APPROVED; 99-0579; ORDINANCE NO 23779]**
38. An ordinance authorizing an amendment to Planned Development District No. 67 to amend the conditions for Tract II in order to permit NS Neighborhood Service District uses and to create a new Tract IV that allows R-5 Single Family District uses, duplex uses, and multiple family uses at the southwest corner of University Boulevard and Roper Street (Z978-260/10597-NW(ML) - Financing: No cost consideration to the City **[DEFERRED UNTIL 02/24/99; 99-0580]**
39. An ordinance authorizing a Planned Development District for CS Commercial Service District Uses and Multifamily Uses on property presently zoned a CS Commercial Service District at the southwest corner of University Boulevard and Webster Street (Z978-261/10603-NW(LS) - Financing: No cost consideration to the City **[DEFERRED UNTIL 02/24/99; 99-0581]**
40. Authorize a contract with Brooks Court Water Supply, Inc. to provide interruptible untreated water from Lake Lewisville for five years with two extensions of five years each for irrigation of Brooks Court Homeowners Association - Revenue: \$1,401 in 1999-2000, \$2,402 annually thereafter **[APPROVED; 99-0582]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

41. Authorize a professional services contract for \$500,000 with KPMG LLP for a Year 2000 Control Risk Analysis and increase appropriations in the Information Services Fund by \$500,000, from \$14,090,436 to \$14,590,436 - Financing: Current Funds **[DEFERRED UNTIL 02/24/99; 99-0583]**
42. A resolution recognizing the Dallas Public Library as a Citywide Asset (recommended by the Arts, Education and Libraries Committee) - Financing: No cost consideration to the City **[APPROVED; 99-0584]**

PUBLIC HEARINGS AND RELATED ACTIONSCity of Dallas Reinvestment Zone No. 45

- 43.* A public hearing to receive citizen comments concerning the creation of a reinvestment zone for commercial-industrial tax abatement, to be known as **City of Dallas Reinvestment Zone No. 45, Commercial Zone "C", consisting of 5.0847 acres located at 1841 W. Northwest Highway, Dallas, Texas**, for the purpose of granting tax abatement on added value to the real property to E. L. Boss, Jr. dba Botanical Technologies, Inc. - Financing: No cost consideration to the City **[HEARING CLOSED; 99-0585]**
- 44.* An ordinance designating property located **at 1841 W. Northwest Highway, Dallas, Texas, consisting of 5.0847 acres, as City of Dallas Reinvestment Zone No. 45**, for commercial-industrial tax abatement for the purpose of granting real property tax abatement to E. L. Boss, Jr. dba Botanical Technologies, Inc., establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City **[APPROVED; 99-0585; ORDINANCE NO. 23780]**
- 45.* Authorize a real property tax abatement agreement with E. L. Boss, Jr. dba Botanical Technologies, Inc., for the purpose of granting a ten-year abatement of 50% of the taxes on added value to the real property for the relocation and expansion of its landscaping construction operations to be located within **City of Dallas Reinvestment Zone No. 45, Commercial Zone "C", located at 1841 W. Northwest Highway, Dallas, Texas** - Revenue: First year tax revenue estimated at \$4,056. Ten-year tax revenue estimated at \$40,568. (Estimated revenue foregone for 10-year real property abatement \$40,568) - Financing: No cost consideration to the City **[APPROVED; 99-0586]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES - CONSENT [APPROVED; 99-0587]

46. Application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 426 for a Community service center to: (1) delete the parking ratio of one space per one hundred square feet of floor area, (2) allow the R-10(A) Districts front yard setbacks along Hampton Road, and (3) allow a gymnasium to be constructed on property presently zoned an R-10(A) Single Family District at the southwest corner of South Hampton Road and Matland Drive
Recommendation of Staff and CPC: Approval
Z989-121/797-SW(PN) [CPC RECOMMENDATION FOLLOWED; 99-0588;
ORDINANCE NO. 23781]
47. Application for and an ordinance granting an RR Regional Retail District on property presently zoned an MU-1 Mixed Use District and a GO(A) General Office District at the northeast corner of Alpha Road and Dallas North Tollway
Recommendation of Staff & CPC: Approval
Z989-125/9639-NC(ML) [CPC RECOMMENDATION FOLLOWED; 99-0589;
ORDINANCE NO. 23782]
48. Application for and an ordinance granting an IM Industrial Manufacturing District and application for and an ordinance granting a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete batching plant on property presently zoned an IR Industrial Research District at the southeast corner of Walnut Hill Lane and Spangler Road
Recommendation of Staff and CPC: Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete batching plant for a two-year time period, subject to a site plan and conditions
Z989-127/10745-NW(RB) [CPC RECOMMENDATION FOLLOWED; 99-0590;
ORDINANCE NOS. 23783 AND 23784]
49. Application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District on the west side of Arizona Avenue, north of Corning Avenue
Recommendation of Staff and CPC: Approval of a Specific Use Permit for a Child-care facility for a two-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site/landscape plan and conditions
Z989-129/10074-SW(RB) [CPC RECOMMENDATION FOLLOWED; 99-0591;
ORDINANCE NO. 23785]
50. Application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 506 for a YWCA, changing the name of the use to a Community service center, on property presently zoned an R-7.5(A) Single Family District at the southwest corner of Hampton Road and Falls Drive
Recommendation of Staff & CPC: Approval
Z989-133/2284-SW(RB) [APPROVED AS AMENDED; 99-0592; **ORDINANCE NO. 23786]**

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

51. Application for and an ordinance granting an amendment to the development plan, landscape plan, and conditions for Planned Development District No. 474 for certain R-16(A) Single Family District Uses and a Private Street at the northeast corner of Preston Road and Hughes Lane

Recommendation of Staff: Approval of an amendment to the development plan, landscape plan and conditions for Planned Development District No. 474 to permit: 1) a new alignment to the perimeter wall along Preston Road; 2) perimeter walls, screening walls, and entryway columns in excess of four feet in height in the required front yards; and 3) revisions to the landscaping at the main entrance to the property and within the cul-de-sac, and denial of the portion of the request that will permit: 1) the removal of the off-street parking spaces adjoining Common Area B; and 2) a waiver of the sidewalk requirements.

Recommendation of CPC: Approval of certain amendments to the development plan, landscape plan and conditions for Planned Development District No. 474 to permit: 1) a new alignment to the perimeter wall along Preston Road; 2) perimeter walls, screening walls, and entry way columns in excess of four feet in height in the required front yards; 3) revisions to the landscaping at the main entrance to the property and within the cul-de-sac; 4) the removal of the off-street parking spaces adjoining common area B; 5) waiving the sidewalk requirement; and 6) require the proposed perimeter wall to be completed within six months of issuance of the first building permit

Z989-105/9841-NC(RB) **[CPC RECOMMENDTION FOLLOWED; 99-0593; ORDINANCE NO. 23787]**

52. Application for a Specific Use Permit for a Multifamily Use on property presently zoned as Planned Development District No. 407 for Multifamily and Townhouse Uses on the south side of Kiest Boulevard, east of Boulder Drive

Recommendation of Staff: Approval for a one-year time period, with eligibility for automatic renewal for additional two-year time periods, subject to a site plan and conditions

Recommendation of CPC: Denial

Z978-302/9670-SW(RB) **[DENIED WITH PREJUDICE; 99-0594]**

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

53. Application for and an ordinance granting a CR Community Retail District on property presently zoned an MF-1(A) Multifamily District at the northwest corner of Frankford Road and Marsh Lane, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning

Recommendation of Staff: Approval

Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant

Z978-325/10665-NC(ML) **[CPC RECOMMENDATION FOLLOWED; 99-0595; ORDINANCE NO. 23788]**

Note: This application was considered by the City Council at a public hearing on January 13, 1999, and was taken under advisement until January 27, 1999, with the public hearing open.

ITEMS FOR INDIVIDUAL CONSIDERATION

54. Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) **[APPOINTMENTS MADE TO BOARDS; 99-0596]**
55. Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) **[NO APPOINTMENT MADE TO BOARD; 99-0597]**

Closed Session [NO CLOSED SESSION HELD; 99-0598]

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

- Debra Walker, et al. v. HUD, et al
- City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, Texas et al., Cause No. 48-171109-97
- Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort Worth, Texas, et al., Cause No. 3:98-CV-1187-R (consolidated with City of Dallas, Texas v. Department of Transportation, et al., Cause No. 3:97-CV-2734-R)
- U.S. Department of Transportation
Love Field Service Interpretation Proceeding,
Docket No. OST-98-4363
- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No. 3-98-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R Caprock Communications Corp., Golden Harbor of Texas, Inc. and Westel, Inc. v. City of Dallas, Cause No. 3-98-CV-1227-R; and Sprint Communications Company, L.P. v. City of Dallas, Cause No. 3-98-CV- 1576-R